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NOTICE

The undermentioned Gazette of India Extraordinary was published upto the 1st January, 1960 :—

Issue No.	No. and date	Issued by	Subject
2	G. S. R. 27, dated 1st January, 1960.	Ministry of Food and Agriculture.	Amendment in the Rice (Uttar Pradesh) Price Control Order, 1959.
	G. S. R. 28, dated 1st January, 1960.	Do.	Amendments in Order No. S.R.O. 4153-A, dated 28th December, 1957.
	G. S. R. 29, dated 1st January, 1960.	Do.	The Rice and Paddy (Assam) Price Control Order, 1960.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF LAW

(Department of Legal Affairs)

New Delhi, the 5th January 1960

G.S.R. 52.—(Contract/Amdt. 21).—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, and in supersession of the notification of the Government of India in the Ministry of Law No. S.R.O. 738, dated the 22nd March, 1956, the President hereby directs that the following further amendments shall be made in the notification of the Government of India, in the Ministry of

Law No. G.S.R. 1161, dated the 1st December, 1958 relating to the execution of contracts and assurances of property, namely:—

In the said notification—

In Part V which relates to the Ministry of External Affairs, after item 7, the following item shall be inserted, namely:—

'8. All contracts and assurances of property required to be made in the United Kingdom;

by the High Commissioner for India in the United Kingdom or by the Deputy High Commissioner for India in the United Kingdom:

Provided that, subject to such rules and restrictions as the High Commissioner, with the approval of the President may prescribe, any contract, other than contracts for, or relating to, the manufacture, sale, purchase or supply of goods or for or relating to the affreightment or the carriage of goods, or insurance in the India Store Department under the control of the High Commissioner for India in the United Kingdom, may be executed on behalf of the President, in the absence of the said High Commissioner and the Deputy High Commissioner;

by the Chief Accounting Officer or the Secretary of the Establishment Department of the said High Commissioner's Office.

B. In Part XIX which relates to the Ministry of Works, Housing and Supply—

(a) Under Head C:—

(i) For the words 'in the case of the Estate Officer' the words 'In the case of the Directorate of Estates' shall be substituted.

(ii) For item 1, the following item shall be substituted, namely:—

'1. (a) Security bonds of cashiers and other Government servants whom the Director of Estates has the power to appoint, or their sureties, to secure the due execution of an office or the due accounting for money, or other property received by virtue thereof;

(b) Leases/licenses of land, houses and other immovable property provided the rent/fee does not exceed Rs. 5,000 a month; and

(c) Contracts for catering in hostels and tiffin rooms in public buildings, at Delhi/New Delhi, Simla, Calcutta and Bombay, other than those in the President's Estate or for the protection of conveyances belonging to the staff working in such public buildings;

by the Director of Estates or the Deputy Director of Estates.'

(b) Under Head F, in item 2—

(i) In clause (c), after the words, 'Deputy Directors of Purchase,' the words 'Assistant Directors of Purchase' shall be inserted.

(ii) After clause (c), the following clause shall be added, namely:—

'(d) Contracts for, or relating to, the manufacture, sale, purchase or supply of goods or for or relating to the affreightment or the carriage of goods, or insurance, in the India Store Department under the control of the High Commissioner for India in the United Kingdom, and subject to such rules and regulations as the said High Commissioner, with the approval of the President, may prescribe;

by the Director General, Deputy Directors General, Directors of Purchase, Assistant Directors of Purchase, Controller/s, and Senior Executive Officers.'

[No. F. 17(1)/59-J.]

P. K. BOSE, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 5th January 1960

G.S.R. 53.—In pursuance of rule 11 of the Indian Administrative Service (Pay) Rules, 1954, the Central Government after consultation with the Government of Bombay, hereby makes the following amendments in Schedule III appended to the said Rules.

2. The amendment shall be deemed to have come into force on the 15th May, 1957.

Amendments

In the said schedule, (1) under the heading "A-Posts carrying pay above the time-scale pay of the Indian Administrative Service under the State Governments", at the end of the entries against "Bombay", the following shall be added:—

"Motor Transport Controller—2250";

(2) under the heading "B-Posts carrying pay in the Senior time-scale of the Indian Administrative Service under the State Governments including posts carrying special pays in addition to pay in the time-scale" against "Bombay", the following entry shall be deleted:—

"Motor Transport Controller".

[No. 1/55/59-AIS(II).]

New Delhi, the 6th January 1960

G.S.R. 54.—In pursuance of rule 11 of the Indian Administrative Service (Pay) Rules, 1954, the Central Government, after consultation with the Government of Orissa, hereby makes the following amendments in Schedule III appended to the said Rules.

2. The amendments shall be deemed to have come into force on the 22nd October, 1959.

Amendments

In the said Schedule,

(1) under the heading "A-Posts carrying pay above the time-scale pay in the Indian Administrative Service under the State Governments", after the entries against "Orissa" the following shall be inserted:—

"Development Commissioner—2250"

(2) Under the heading "B-Posts carrying pay in the senior time-scale of the Indian Administrative Service under the State Governments including posts carrying special pays in addition to pay in the time-scale" against "Orissa", the entries "Development Commissioner" shall be deleted.

[No. 1/157/59-AIS(II).]

New Delhi, the 8th January 1960

G.S.R. 55.—In pursuance of the provisions of section 6 of the Notaries Act, 1952, (53 of 1952) the Central Government hereby publishes a list of the Notaries appointed by them and in practice at the beginning of the year, 1960 :—

Sl. No.	Name of notary	Residential and professional address.	Qualifications	Area in which he is authorised to practise.	Remarks
1	Shri Chakravarthi Doraswamy.	Regal House, Mc Lean Street, Madras-1.	Advocate Madras, High Court,	Whole of India.	..
2	Shri Gordon Frederick Muirhead	C/o Messrs King and Partridge, Solicitors and Notaries Public Ootacamund (Madras).	Solicitor of the Supreme Court in England, Attorney-at-Law, Madras High Court, and Advocate, Mysore High Court.	Do.	..

Sl. No.	Name of Notary	Residential and professional address.	Qualifications	Area in which he is authorised to practise.	Remarks
3	Shri Rustom Ardeshtir Gargat	C/o Messrs Gargat & Company, Solicitors and Notary Public, All Chambers, Meadows Street, Bombay-1.	Advocate, Bombay High Court,	Whole of India.	..
4	Shri Lalitmohan Chunilal Gandhi.	Ardesor Kotwal Road, Surat.	Do.	Surat District.	..
5	Shri Bata Krishna Banerji.	Koonja Nibas, 23-A, Sardar Sankar Road, P.S. Tallygunge, Calcutta.	Advocate, Calcutta High Court.	Whole of India.	..
6	Shri Saurendra Mohan Basu.	9, Old Post Office Street, Calcutta.	Attorney-at-Law, Calcutta High Court.	Do.]	..
7	Shri Bhagwati Prasad Khaitan	1B, Old Post Office Street, Calcutta.	Do.	Do.	..
8	Shri Ratan Mohan Chatterjee	Temple Chambers, 6 Old Post Office Street, Calcutta.	Solicitor, Calcutta High Court.	Do.	..
9	Shri Tulsi Kumar Banerji.	Do.	Attorney-at-Law Calcutta High Court.	Do.]	..
10	Shri Rabindra Krishna Deb.	Temple Chambers, 6, Old Post Office Street, Calcutta.	Attorney-at-Law, Calcutta High Court.	Do.	..
11	Shri Sisir Kumar Ghosh	C/o Basu & Co. Solicitors, 6, Old Post Office Street, Calcutta.	Solicitor, Calcutta High Court.	Whole of India.	..
12	Shri Arunendra Nath Tagore	3, Swinhoe Street, Ballygunge, Calcutta.	Advocate, Calcutta High Court	West Bengal	..
13	Shri Himansu Prakash Ganguli.	4, Issur Dutta Lane, Howrah, West Bengal.	Advocate, Calcutta High Court.	Whole of India.	..
14	Shri Framjee Cursetjee Heerjee-bhoj Rustomjee	5 & 7, Netaji Subhas Road, Calcutta.	Solicitor, Calcutta High Court.	Do.	..
15	Shri Sudhir Kumar Dey Mullick	Do.	Attorney-at-Law, Calcutta High Court.	Do.	..
16	Shri Heramba Nath Bhatta-charjee.	Do.	Do.	Do.	..
17	Shri Rash Mohan Chatterjee.	C/o Messrs Orr, Dignam & Company [Solicitors 29, Netaji Subhas Road, Calcutta.	Solicitor, Calcutta High Court.	West Bengal, Assam, Bihar, Orissa, Uttar Pradesh and Punjab.	..
18	Shri Prabhu Dayal Himatsingka	6, Old Post Office Street, Calcutta.	Attorney-at-Law, Calcutta High Court.	Whole of India.	..
19	Shri Basil Gill	5 & 7 Netaji Subhas Road, Calcutta.	Attorney-at-Law, Calcutta High Court.	Do.	..

Sl. No.	Name of Notary	Residential and professional address	Qualifications	Area in which he is authorised to practise	Remarks
20	Shri Baldeodas Jhunjhunwala	6, Old Post Office Street, Calcutta.	Attorney-at-Law, Calcutta High Court.	Whole of India	..
21	Shri Harry Arthur Fowler.	7, Hastings Street, Calcutta.	Do.	Do.	..
22	Shri Thomas Cyril Hornby.	C/o Messrs. Orr, Dignam and Coy. 29, Netaji Subhash Road, Calcutta.	Do.	West Bengal, Bihar, Assam, Orissa, U.P., and Punjab,	..
23	Shri Asim Krishna Dutt.	10, Hastings Street Calcutta.	Do.	Whole of India.	..
24	Shri Amar Kumar Ray.	6, Old Post Office, Street, Calcutta.	Do.	Do.	..
25	Shri Sachindra Chandra Deb	C/o Messrs. G. C. Chunder & Co., Temple Chambers, 6, Old Post Office Street, Calcutta.	Do.	Do.	..
26	Shri Punyabrata Bose.	10, Hastings Street Calcutta.	Do.	Do.	..
27	Shri Victor Elias Moses.	6, Old Post Office, Street, Calcutta.	Do.	Do.	..
28	Shri David Platt Dunderdale.	C/o Messrs Sandersons and Morgans, Solicitors, Royal Insurance Buildings, 5 & 7 Netaji Subhas Road, Calcutta.	Attorney-at-Law, Calcutta High Court.	Whole of India.	..
29	Shri Adwaita Nath Sil.	Do.	Do.	Do.	..
30	Shri Shri Bhusan Bose.	C/o Messrs Orr Dignam and Company, 29, Netaji Subhas Road, Calcutta.	Do.	Calcutta and the States of West Bengal, Bihar, U.P., Punjab, Assam and Orissa.	..
31	Shri Pashupati Nath Ghosh.	C/o Kar, Mehta and Company, Solicitors, 11 Old Post Office Street, Calcutta.	Solicitor, Calcutta High Court.	Whole of India.	..
32	Shri Salil Kumar Chatterjee.	10, Old Post Office Street, Calcutta.	Solicitor, Calcutta High Court and Advocate of the Supreme Court.	Do.	..
33	Shri Mulkh Raj Wadhawan	Advocate, Jullundur City, Punjab.	Advocate, Punjab High Court.	Punjab and Uttar Pradesh.	..
34	Shri Ganga Bishan Kapur.	318, G.T. Road, Jullundur City, Punjab.	Do.	Do.	..
35	Shri Mehr Chand Mehra.	161, Model Town, Ambala City.	Do.	Ambala District of the Punjab.	..
36	Shri Herpershad Mehra.	Charkhewalan, Delhi.	Do.	Union territory of Delhi.	..
37	Shri Manbharlal Kapur.	3/9, Patel Nagar (East), New Delhi.	Do.	Do.	..

Sl. No.	Name of Notary	Residential and Professional address	Qualifications	Area in which he is authorised to practise	Remarks
38	Shri Maharaj Krishna Madan.	Chowri Bazar, Delhi.	Advocate Supreme Court, New Delhi.	Union territory of Delhi	..
39	Shri Raghu Nath	Flat 8-A, New Central Market (Shankar Market), Connaught Circus, New Delhi.	Do.	Whole of India.	..
40	Shri Milawa Ram Kalia.	33/16, Rajendra Nagar, New Delhi.	Advocate, Punjab High Court.	Union territory of Delhi.	..
41	Shri Charanjit Lal.	28/33, Rajendra Nagar, New Delhi.	Do.	Do.	..
42	Shri Ram Ditta Mall.	7/13, Patel Nagar, East, New Delhi.	Advocate, Supreme Court.	Do.	..
43	Shri Bhagat Hans Raj.	14B/7, Original Road, Karol Bagh, New Delhi.	Advocate Punjab High Court.	Do.	..
44	Shri Chaman Lal Sethi.	Sunder Singh Building, Abdul Aziz Road, Karol Bagh, New Delhi.	Pleader	Union Territory of Delhi.	..
45	Shri Ghansiam Das.	Lal Kuan Bazar, Delhi.	Advocate	Do.	..
46	Shri Gopi Nath Bharadwaj.	26/183-184, Patel Nagar West, New Delhi.	Advocate, Punjab High Court and Supreme Court.	Do.	..

[No. 24/1/60-NOTTS.]

S. NARAYANSWAMY, Dy. Secy.

New Delhi, the 6th January 1960

G.S.R. 56.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the posts of Craft Instructor (Weaving), Craft Instructor (Carpentry) and Craft Instructor (Cane-work) in the Jail Department, Andaman and Nicobar Islands, namely:—

1. **Short title.**—These rules may be called the Andaman and Nicobar Islands (Recruitment to Craft Instructors in the Jail Department) Rules, 1960.

2. **Application.**—These rules shall apply to the posts of Craft Instructor (Weaving), Craft Instructor (Carpentry) and Craft Instructor (Cane-work) in the Jail Department, Andaman and Nicobar Islands.

3. **Number, classification and scale of pay.**—The number of the said posts, the classification thereof and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the Schedule annexed to these rules.

4. **Method of recruitment, age-limit, etc.**—The method of recruitment, age-limit, qualification and other matters relating to the said posts shall be as specified in columns (5) to (8) of the Schedule aforesaid:

Provided that the upper age-limit for direct recruitment may be relaxed in the case of Scheduled Castes and Scheduled Tribes and other special categories in accordance with the general orders issued from time to time by the Government of India.

5. Disqualification.—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living shall be eligible for appointment to any of the said posts:—

Provided that the Government of India may, if it is satisfied that there are special grounds for doing so, exempt any such candidate from the operation of this rule.

THE SCHEDULE

Name of Post	Number	Classification	Scale of pay	Method of recruitment	Age limit	Educational and other Qualification	Period of Probation
1	2	3	4	5	6	7	8
Craft Instructor (Weaving)	One	Class IV (Non-Gazetted)	Rs. 35-1-40-2-60.	100% Direct Recruitment.	Upto 25 yrs.	(i) Ability to read and write Hindi; (ii) Two years' experience in weaving.	Two years on duty commencing from the date of appointment; liable for extension where the appointing authority opines that the work and conduct of the probationer during the period of probation has been unsatisfactory.
Craft Instructor (Carpentry).	One	Class IV (Non-Gazetted)	Rs. 35-1-40-2-60.	100% Direct Recruitment.	Upto 25 yrs.	(i) Ability to read and write Hindi; (ii) Experience in Carpentry for not less than 2 years.	Do.
Craft Instructor (Cane-work)	One	Class IV (Non-Gazetted)	Rs. 35-1-40-2-60.	100% Direct Recruitment.	Upto 25 yrs.	(i) Ability to read and write Hindi; (ii) Knowledge of cane work with not less than 2 years experience in Cane-work.	Do.

[No. 4/110/59-ANL.]

G.S.R. 57.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules relating to recruitment to the post of Research Assistant (Chemical) in the Fisheries Department, Andaman and Nicobar Islands, namely:—

1. Short title.—These rules may be called the Andaman and Nicobar Islands [Recruitment to the post of Research Assistant (Chemical)] Rules, 1960.

2. Application.—These rules shall apply to the post of Research Assistant (Chemical) in the Fisheries Department, Andaman and Nicobar Islands.

3. Classification, scale of pay, method of recruitment, age limit, etc.—The classification of the said post, the scale of pay attached thereto, the method of recruitment, age limit, qualifications and other matters relating to the said post shall be as specified in columns (2) to (7) of the Schedule annexed to these rules:

Provided that the upper age-limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes and Scheduled Tribes and other special

categories, in accordance with the general orders issued from time to time by the Government of India.

4. **Disqualification.**—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living, shall be eligible for appointment to the said post:

Provided that the Government of India may, if it is satisfied that there are special grounds for doing so, exempt any such candidate from the operation of this rule.

THE SCHEDULE

Name of Post	Classification	Scale of pay	Method of Recruitment	Age limit	Educational and other qualifications	Period of probation
1	2	3	4	5	6	7
Research Assistant (Chemical)	Class III Non-Gazetted Non-Ministerial	Rs. 160-10-330.	100% Direct Recruitment.	18 to 25 years.	M. Sc. or equivalent B. Sc. (Hons) in Chemistry with Zoology as subsidiary subject or B. Sc. in Chemistry with Zoology as subsidiary subject with two years research experience or training in any recognised institute. Ability to read and write Hindi.	Two years on duty commencing from the date of appointment liable for extension where the appointing authority opines that the work and conduct of a probationer during the period of probation has been unsatisfactory.

[No. 4/119/59-ANL.]

A. D. SAMANT, Under Secy.

New Delhi, the 11th January, 1960

G.S.R. 58.—In exercise of the powers conferred by section 18 of the Central Reserve Police Force Act, 1949 (66 of 1949), the Central Government hereby makes the following further amendments to the Central Reserve Police Force Rules, 1955, namely:—

In the said rules:—

in sub-rule (1) of rule 5, in clause (a), for the entries relating to 'Commandant', 'Assistant Commandant (Second-in-Command)' and 'Assistant Commandant (Adjutant)', the following shall be substituted, namely:—

"Commandant
Assistant Commandant
(Second-in-Command)
[One for each battalion]

They should be either from the Army, or Indian Police Service (Senior), or State Police Officers holding the post of Superintendent of Police or any equivalent post should the Commandant be from the Army, the Assistant Commandant (Second-in-Command) should preferably be from the Indian or State Police Service and vice versa.

Assistant Commandant
(Adjutant)
[One for each battalion]

He should be from the Army or Indian Police Service (Senior) or a State Police Officer holding the post of Superintendent of Police or any equivalent post, or from amongst the Company Commanders/Quarter Masters/Police Radio Officer in the Force.

[No. F. 2/14/59-P. II.]

P. K. DAVE, Dy. Secy.

New Delhi, the 11th Jan., 1960

G.S.R. 59.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Manipur the Bombay Highways Act, 1955 (Bombay Act LV of 1955), as at present in force in the State of Bombay, subject to the following modifications, namely:—

Modifications

In the said Act,—

- (1) save as hereinafter provided,—for the words "State Government", wherever they occur, the words "Chief Commissioner of Manipur" shall be substituted, and there shall also be made in any sentence in which those words occur such consequential amendments as the rules of grammar may require;
- (2) Section 1(2): For the words "pre-reorganisation State of Bombay, excluding the transferred territories", substitute the words "Union territory of Manipur";
- (3) Section 3: Omit clause (i);
- (4) Section 4: (i) For the words "pre-reorganisation State of Bombay excluding the transferred territories" wherever they occur substitute the words "Union territory of Manipur";
(ii) After the words "any authority", insert the words "other than the Principal Engineering Officer of Manipur Administration";
- (5) Section 7(2): (i) For the words "taluka or mahal of the district", substitute "tehsil or the revenue or the administrative hill sub-division or circle or Unit";
(ii) For the words "two months" substitute "four months", and for "one month" substitute "two months";
(iii) For the words "sixty days", substitute "four months";
- (6) Section 9(5): For the words "three months" occurring for the first time, substitute the words "six months";
- (7) Section 10: (i) For the figure and word "30 days", substitute "sixty days";
(ii) For the words "State Government", wherever they occur substitute "Principal Engineering Officer of Manipur Administration";
(iii) For the word "it" occurring in sub-section (2), substitute the word "he";
- (8) Section 17(2): For the words "fifteen days" substitute "thirty days";
- (9) Section 18(1): For the words "fifteen days" substitute "thirty days";
- (10) Section 19: For the words "State Government" occurring in the second place, substitute "Government";
- (11) Section 20: For the words "State Government" wherever they occur, substitute "Government";
- (12) Section 22(2): For the words "State Government" substitute "Government";

- (13) *Section 35:* (i) For sub-section (1), substitute the following:
 “(1) Any person aggrieved by the award of the Highway Authority or the officer authorised under section 28 may, by a written application to the Highway Authority or such officer, require that the matter be referred to the District Judge.”;
 (ii) For the words “six weeks” occurring in sub-section (2), substitute “three months”;
- (14) *Section 37:* Omit “in Greater Bombay to the Commissioner of Police, and elsewhere” and “the Commissioner”;
- (15) *Section 41:* For the figure and word “30 days”, substitute “sixty days”;
- (16) *Section 44:* (i) For sub-section (1), substitute “(1) Any person aggrieved by the order fixing the betterment charges may, by a written application to the officer authorised under section 41, require that the matter be referred to the District Judge.”;
 (ii) For the words “six weeks” occurring in sub-section (2), substitute “three months”;
- (17) *Section 46:* For the words “State Government”, substitute “Government”;
- (18) *Section 47:* In the proviso for the words “State Government”, substitute “Government”;
- (19) *Section 48:* For the words “State Government” occurring for the second time, substitute “Government”;
- (20) *Section 49:* (i) In sub-section (2) for the words “one month”, substitute “two months”;
 (ii) In sub-section (3), for the words “one month”, substitute “two months”;
 (iii) In sub-section (4) for the figure and word “15 days”, substitute “thirty days”;
- (21) *Section 64:* For the words and figures “Bombay City Land Revenue Act, 1876, or in the Bombay Land Revenue Code, 1879, as the case may be”, substitute “Assam Land and Revenue Regulation, 1886, as extended to the Union Territory of Manipur”;
- (22) *Section 65:*
 (a) In sub-section (1), for the words and figures “the manner provided for holding a summary inquiry under the Bombay City Land Revenue Act, 1876, or the Bombay Land Revenue Code, 1879, and all the provisions contained in the said Act or Code relating to the holding of a summary inquiry, shall, so far as may be, apply”, substitute “such manner as may be prescribed by any law for the time being in force in the Union territory or Manipur relating to summary inquiries in revenue matters.”;
 (b) in sub-section (2), for the words and figures “Bombay City Land Revenue Act, 1876, or the Bombay Land Revenue Code, 1879”, substitute “Assam Land and Revenue Regulation, 1886, as extended to the Union Territory of Manipur”;
- (23) *Section 68:* In section 68, after the word and figure “section 44”, insert “or the Principal Engineering Officer of Manipur Administration”;
- (24) *Section 71(2):* (i) For the words “taluka or mahāl” occurring in clause (a), substitute “tehsil or the revenue or the administrative hill subdivision or circle or unit”;
 (ii) In clause (h), for the words “State Government”, the word “Government” shall be substituted;
- (25) *Section 72:* (i) In clause (d) of sub-section (1), the words “or a port declared by or under any law made by Parliament or existing law to be a major part” shall be omitted;
 (ii) Clause (e) of sub-section (1) shall be omitted;
 (iii) The Explanation shall be omitted.

- (26) *Section 73:* For the words "made by the State Legislature or any law which the State Legislature is competent to make or to amend", substitute "for the time being in force in the Union territory of Manipur".
- (27) *Schedule:* After the words "the Bombay Highways Act, 1955" wherever they occur insert the words "as extended to the Union territory of Manipur"

ANNEXURE

The Bombay Highways Act, 1955 as extended to the Union territory of Manipur.

BOMBAY ACT NO. LV OF 1955

(THE BOMBAY HIGHWAYS ACT, 1955)

An Act to provide for the restriction of ribbon development along highways, for the prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges and for certain other matters.

Whereas it is expedient to provide for the restriction of ribbon development along highways, for the prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges and for certain other matters; it is hereby enacted in the Sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Bombay Highways Act, 1955.

(2) It shall extend to the whole of the Union Territory of Manipur.

(3) This section shall come into force at once. The Chief Commissioner of Manipur may, by notification in the Official Gazette, direct that all or any of the remaining provisions of this Act shall come into force in such area and on such date as may be specified in the notification:

Provided that the Chief Commissioner of Manipur may, by notification issued in like manner, exclude any road or way or class of roads or ways situate in such area from the operation of all or any of the provisions of this Act.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

- (a) "animal" means any domestic or captive animal;
- (b) "building" includes any erection of whatsoever material and in whatsoever manner constructed (including a farm building for agricultural purposes) and also includes plinths, doorsteps, walls (including compound walls and fences) and the like;
- (c) "building line" means a line on either side of any highway or part of a highway fixed in respect of such highway or part by a notification under sub-section (1) of section 7;
- (d) "cantonment" means a cantonment established under the Cantonments Act, 1924 (II of 1924);
- (e) "control line" means a line on either side of a highway or part of a highway beyond the building line fixed in respect of such highway or part by a notification under sub-section (1) of section 7;
- (f) "encroachment" means any unauthorised occupation of any highway or part thereof, and includes an unauthorised—
 - (i) erection of a building or any other structure, balconies, porches, projections, on or over or overhanging the highway;
 - (ii) occupation of a highway beyond the prescribed period, if any, for stacking building materials or goods of any other description, for

- exhibiting articles for sale, for erecting poles, awnings, tents, pandals, boardings and other similar erections or for parking vehicles or stabling animals or for any other purpose, and
- (iii) excavations or dumps of any sort made or extended on any highway or underneath such highway;
- (g) "to erect" with its grammatical variations in relation to a building means to construct, reconstruct, extend or alter structurally a building;
- (h) "excavation" in relation to any piece of land does not include any workings which do not pierce the surface of that piece of land; but includes wells and tanks;
- (i) "highway" means any road or way over which the public have a right of way or are granted access and which is declared to be a highway under section 3. The expression includes,—
- (i) any land acquired or demarcated with a view to construct a highway along it;
 - (ii) the slopes, berms, borrow-pits, foot-paths, pavements and side, catch and boundary drains attached to such road or way;
 - (iii) all bridges, culverts, causeways, carriageways and other structures, built on or across such road or way; and
 - (iv) the trees, fences, posts, boundary, furlong and mile stones, and other highway accessories and materials and material stacked on the road or way;
- (j) "Highway Authority" means the authority appointed as such or to which the functions of such authority are entrusted under section 4;
- (k) "highway boundaries" means the boundaries of a highway fixed in respect of such highway by a notification under sub-section (1) of section 7;
- (l) "means of access" includes any means of access, whether private or public, for vehicles or for foot passengers and includes any street;
- (m) "middle of highway" means the point half-way between the highway boundaries;
- (n) "occupier" includes,—
- (a) any person who for the time being is paying or is liable to pay to the owner rent or any portion of the rent of the premises in respect of which such rent is paid or is payable;
 - (b) an owner living in or otherwise using his premises;
 - (c) a rent-free tenant;
 - (d) a licensee in occupation of any premises; and
 - (e) any person who is liable to pay to the owner damages for the use and occupation of any premises;
- (o) "owner" means,—
- (a) when used with reference to any premises, the person who receives the rent of the said premises or who would be entitled to receive the rent thereof if the premises were let and includes,—
 - (i) an agent or trustee who receives such rent on account of the owner;
 - (ii) an agent or trustee who receives the rent of, or is entrusted with, or concerned for, any premises devoted to religious or charitable purposes;
 - (iii) a receiver, sequestrator or manager appointed by any court of competent jurisdiction; and
 - (iv) a mortgagee-in-possession;
 - (b) when used with reference to an institution or a body corporate, the manager of such institution or body corporate;
- (p) "prescribed" means prescribed by rules made under this Act;
- (q) "railway administration" has the same meaning as in the Indian Railways Act, 1890 (IX of 1890);

- (r) "vehicle" includes a barrow, sledge, plough, drag and a wheeled conveyance of any description capable of being used on a highway;
- (s) the expressions "land", "persons interested" and "persons entitled to act" used in this Act shall have the same meaning as the said expressions have in the Land Acquisition Act, 1894 (I of 1894).

CHAPTER II

DECLARATION OF HIGHWAYS, HIGHWAY AUTHORITIES AND THEIR POWERS AND FUNCTIONS

3. Declaration of roads, ways or lands as highways.—The Chief Commissioner of Manipur may, by notification in the Official Gazette, declare any road, way or land to be highway and classify it as—

- (i) * * *
- (ii) a State highway,
- (iii) a major district road,
- (iv) other district road, or
- (v) a village road.

4. Appointment of Highway Authorities.—The Chief Commissioner of Manipur may, by notification in the Official Gazette, appoint for the purpose of this Act or any of its provisions any person or any authority other than the Principal Engineering Officer of Manipur Administration to be a Highway Authority for all the highways in the Union territory of Manipur or, in parts thereof, or for any particular highway or highways in the Union territory of Manipur, specified in the notification.

5. Powers and duties of Highway Authorities.—Subject to such conditions as may be specified in the notification appointing a Highway Authority and subject to the general or special orders of the Chief Commissioner of Manipur, a Highway Authority shall exercise powers and discharge duties in accordance with the provisions of this Act for the restriction of ribbon development along highways, for the prevention and removal of encroachments and for all matters necessary and incidental to any or all of the above subjects. Also subject to the approval of the Chief Commissioner of Manipur and to such general or special orders which the Chief Commissioner of Manipur may make in this behalf, it shall be lawful to a Highway Authority to undertake the construction, maintenance, development or improvement of highways.

6. For the purpose of enabling a Highway Authority to exercise the powers conferred and to discharge the duties imposed upon it by or under the provisions of this Act, the Chief Commissioner of Manipur may appoint such officers and servants as it deems necessary to work under such Authority.

CHAPTER III

RESTRICTION OF RIBBON DEVELOPMENT

7. Power to fix boundary, building and control lines of highways.—(1) In any area in which the provisions of this Act have been brought into force, and

- (i) where any road, way or land has been declared to be a highway under section 3, or
- (ii) where the construction or development of a highway is undertaken,

the Chief Commissioner of Manipur may, by notification in the Official Gazette, fix, as respects such highway, the highway boundary, the building line and the control line:

Provided that having regard to the situation or the requirements of a highway or the condition of the local area through which a highway passes, it shall be lawful for the Chief Commissioner of Manipur—

- (1) to fix different building or control lines, or
- (2) not to fix building or control lines,

in respect of any highway or portions thereof.

(2) Not less than four months before issuing a notification under sub-section (1) the Chief Commissioner of Manipur shall cause to be published in the Official Gazette and in the prescribed manner in the village and at the headquarters of the tehsil or the revenue or the administrative hill sub-division or circle or unit, in which the highway is situate a notification stating that it proposes to issue a notification in terms of sub-section (1), and specifying therein all the lands situated between the highway boundary and the control line proposed to be fixed under such notification and in the case of new works, also lands benefiting by the construction or development of the highway, as the case may be, together with a notice requiring all persons affected by such notification, who wish to make any objections or suggestions with respect to the issue of such a notification, to submit their objections or suggestions in writing to the Highway Authority or appear before such authority, within four months of the publication of the notification in the Official Gazette or within two months from the date of the publication of the notification in the village, whichever period expires later.

(3) The Highway Authority shall, after all such objections or suggestions have been considered or heard, as the case may be, and after such further inquiry, if any, as it thinks necessary, forward to the Chief Commissioner of Manipur a copy of the record of its proceedings held by it together with a report setting forth its recommendations on the objections or suggestions.

(4) If, before the expiration of the time allowed by sub-section (2) for the filing or hearing of objections or suggestions, no objection or suggestion has been made, the Chief Commissioner of Manipur shall proceed at once to issue the notification under sub-section (1). If any such objection or suggestion has been made, the Chief Commissioner of Manipur shall consider the record and the report referred to in sub-section (3) and may either—

- (a) abandon the proposal to issue the notification under sub-section (1), or
- (b) issue the notification under sub-section (1) with such modifications, if any, as he thinks fit.

(5) In considering the objections or suggestions, the decision of the Chief Commissioner of Manipur on the question of issuing the notification under sub-section (1) shall be final and conclusive.

8. Map to be prepared and maintained.—Within two months from the date of publication of the notification under sub-section (1) of section 7 fixing the highway boundary, building line and control line with respect to any highway, the Highway Authority shall cause a map to be made of the area through which such highway passes and shall cause to be marked thereon the highway boundaries and building and control lines and any other particulars necessary for the purposes of this Act and within one month from the date of making any alteration or addition thereto cause the said map to be corrected and such map with the date indicated thereon of the last time when the same shall have been so corrected shall be kept in the office of the Highway Authority. Such map, which shall bear the seal of the Highway Authority, shall be open to inspection. Copies of such map shall also be kept for inspection at such other places as may be prescribed.

9. Restrictions on buildings between highway boundary and building line and between building and control lines.—(1) Notwithstanding anything contained in any law, custom, agreement or instrument for the time being in force, on or after the appointed day the following restrictions shall, subject to the provisions of this Act, be in force, that is to say,—

No person shall, without the previous permission in writing the Highway Authority.—

- (a) upon any land lying between the highway boundary and the building line proposed to be fixed under sub-section (2), or fixed under sub-section (1), of section 7, as the case may be,
 - (i) construct, form or lay out any means of access to, or from, a highway, or
 - (ii) erect any building, or
 - (iii) materially alter any existing building, or
 - (iv) make or extend any excavation, or
 - (v) construct, form or lay out any works; or

(b) upon any land lying between the building line and the control line proposed to be fixed under sub-section (2), or fixed under sub-section (1), of section 7, as the case may be,

(i) construct, form or lay out any means of access to, or from, a highway, or

(ii) erect any building, or

(iii) materially alter any existing building;

(c) use any building or alter the use of any building already erected in a manner which in the opinion of the Highway Authority will, in any manner whatsoever, infringe any of the provisions of this Act or interfere with the use of a highway adjoining the land on which such building is erected.

(2) Every person desiring to obtain such permission under sub-section (1) shall make an application in writing to the Highway Authority in such form and containing such information as may be prescribed in respect of the building, alteration, excavation, works or means of access, as the case may be, to which the application relates

(3) On receipt of such application, the Highway Authority, after making such enquiries as it may consider necessary, shall, by order in writing, either—

(a) grant the permission, subject to such conditions, if any, as may be specified in the order, or

(b) refuse to grant such permission:

Provided that—

(i) permission under clause (a) of sub-section (1) to the making of any excavation or construction, formation or laying out of works in land for the purpose of repairing, renewing, enlarging or maintaining any underground sewer, drain, electric line, pipe, duct or other apparatus shall not be withheld nor be made subject to any conditions save such as may be necessary for securing that the sewer, drain, electric line, pipe, duct or other apparatus shall be laid in such manner and at such levels that the construction, maintenance, development or improvement of a road thereover will not be prevented or prejudicially affected thereby;

(ii) permission under clause (b) of sub-section (1) to the erection or alteration of a building or laying out any means of access to a highway which conforms to the requirements of public health, and welfare and of safety and convenience of traffic on the adjoining road shall neither be withheld nor made subject to unreasonable conditions:

Provided that in the case of means of access required for agricultural purposes such permission shall neither be withheld nor be made subject to any conditions save such as may be necessary for securing that the means of access shall be used for agricultural purposes only;

(iii) permission under clause (b) of sub-section (1) to the re-erection or alteration of a building which was in existence before the appointed day shall neither be withheld nor made subject to restrictions unless such re-erection or alteration involves any material alteration to the outside appearance of the building.

(4) When the Highway Authority refuses permission, the reasons therefor shall be recorded and communicated to the applicant:

Provided that nothing herein contained shall debar a person from making a fresh application after omitting therefrom the objectionable features communicated to him as aforesaid on account of which such permission was refused.

(5) If at the expiration of a period of six months after an application for such permission specifying the name and address of the applicant has been made to the Highway Authority, or such further period not exceeding three months as may have been notified by the Highway Authority has elapsed and no decision has been notified in writing, posted or delivered to the applicant at that address, then (except as may otherwise be agreed in writing between the Highway Authority and the applicant) permission shall be deemed to have been given without the imposition by the Highway Authority of any conditions.

(6) The Highway Authority shall maintain a register with sufficient particulars of all permissions given or refused by it under this section and the register shall be available for inspection free of charge by all persons interested and such persons shall be entitled to take extracts therefrom

Explanation.—For the purpose of this section, the “appointed day” shall, with reference to any highway boundary, building line or control line, mean—

- (1) the day on which a notification is published in the Official Gazette under sub section (2) of section 7 proposing to fix such highway boundary, building line or control line; and
- (2) if any modification is made in such highway boundary, building line or control line, the day on which the notification is published under sub-section (1) of section 7 fixing such highway boundary, building line or control line

10 Appeal—(1) If any applicant is aggrieved by any decision of the Highway Authority under section 9, withholding permission, or imposing any condition, he may appeal to the Principal Engineering Officer of Manipur Administration within sixty days from the date on which such decision was communicated to him

(2) The Principal Engineering Officer of Manipur Administration may, after giving an opportunity to the applicant to be heard, make such order as he thinks fit upon the appeal and the decision of the Principal Engineering Officer of Manipur Administration shall be final.

11 Exemptions for works in progress etc.—(1) No restrictions in force under section 9 shall apply to the erection or making of a building or excavation or to the construction, formation or laying out, of any means of access of works begun before the appointed day referred to in section 9

(2) No restrictions in force under section 9, except restrictions as to the construction, formation or laying out, of means of access, shall apply to any land forming part of a burial or cremation ground or other place for the disposal of the dead being land which has, before the passing of this Act, been used for such purpose

(3) No restrictions in force under section 9 shall apply to any excavation or works necessary in connection with any drains, ditches, or other drainage works for agricultural purposes or to any works necessary for the repair, renewal, enlargement or maintenance of any sewer, drain electric line, pipe, duct, or other apparatus, constructed in or upon the land before the date on which the restrictions came into force or with the consent of the Highway Authority on or after that date

12 Setting back of building line or control line.—Whenever any building or any part thereof erected before the appointed day referred to in section 9 lies between the building line and the middle of the highway the Highway Authority may, whenever any such building or part has either entirely or in greater part been taken down, burnt down or fallen down by notice require such building or part when re-erected to be set back to the building line or control line

13 Regulation or diversion of right of access to highway.—(1) The Highway Authority may, if it is considered essential in the interests of safety or convenience of traffic, regulate or divert any existing right of access to a highway across land lying between the control line and the highway boundary.

Provided that the existing right of access shall not be diverted until alternative access has been given

(2) Where the existing right of access is diverted, the point at which alternative access is given to the highway shall not be unreasonably distant from the existing point of access

(3) The Highway Authority shall, by notification in the Official Gazette, publish the date on which the existing right of access has been diverted and alternative access has been given

14. Powers of Highways Authority and officers and servants appointed under section 6 in respect of surveys.—For the purpose of carrying out any of the provisions of this Act, the Highway Authority and the officers and servants appointed under section 6 may—

- (a) enter upon, survey and take measurements and levels of any land;
- (b) mark such levels, dig or bore into the subsoil of any land;
- (c) demarcate the boundaries of the highway by planting stones or other suitable marks in different colours of a durable nature at intervals all along the highway in such a manner that the imaginary line joining such stones or marks shows the road boundary correctly;
- (d) where there are bends or kinks on the road boundary, locate the stones or marks in different colours so as to give the correct configuration of the boundary if they are joined by straight lines;
- (e) give consecutive numbers to such boundary stones or marks and maintain them on the ground as if they constituted part of the highway;
- (f) lay out the building and control lines by placing marks in different colours and cutting trenches;
- (g) if the survey cannot otherwise be made, or measurements, or levels taken or boundaries marked and lines laid out, cut down and clear away any standing crop, tree, fence or jungle or any part thereof;
- (h) do all other acts necessary in that behalf;

Provided that the Highway Authority shall not, except with the consent of the occupier thereof, enter or permit any of the officers or servants to enter any premises without previously giving such occupier at least forty-eight hours' notice in writing of its intention to do so.

15. Acquisition of land or right or interest in land.—If at any time on the application of the Highway Authority, the Chief Commissioner of Manipur is satisfied that any land required for the purposes of a highway or any right or interest of any person in any land required for the said purposes should be compulsorily acquired or extinguished, as the case may be, it shall be lawful for the Chief Commissioner of Manipur to publish a notification to that effect in the Official Gazette. Such notification shall also be published in such other manner as may be prescribed. A notification so published shall be deemed to be a declaration that the land is needed, or as the case may be, the right or interest is required to be extinguished for the purpose of the highway; and such declaration shall be conclusive that the land is so needed, or the right or interest is so required to be extinguished.

16. Land required to be marked and measured.—The Highway Authority or any officer or servant authorised by the Highway Authority shall thereupon cause the land to be marked out. It shall also cause it to be measured and if no plan is made thereof, a plan to be made of the same.

17. Public notice and other notices of such requirement for acquisition.—(1) The Highway Authority shall then cause a public notice to be given at convenient places on or near such land stating that the Chief Commissioner of Manipur intends to take possession of the land, or as the case may be, to extinguish any right or interest in the land and that claims to compensation for all interest in such land, or any right or interest in land to be extinguished may be made to such officer as the Highway Authority may designate.

(2) Such notice shall state the particulars of the land so needed or right or interest in land to be extinguished and shall require all persons interested in the land or in the right or interest to be extinguished to appear personally or by agent before such officer as may be designated, at the time therein mentioned (such time not being earlier than thirty days after the date of the publication of the notice) and to state the nature of their respective right or interest in the land, or as the case may be, in the right or interest to be extinguished and the amount and the particulars of their claims to compensation for such right or interest or both and their objections, if any, to the measurements made under section 16. The Highway Authority may, in any case, require such statement to be made in writing and signed by the party or his agent.

(3) The Highway Authority shall also serve notice to the same effect on the occupier of such land and on all such persons known or believed to be interested therein or to be entitled to act for persons so interested, as reside or

have agents authorised to receive service on their behalf, within the district in which the land is situate.

(4) In case any person so interested resides elsewhere, a notice shall be served in the manner provided in section 70.

18. Persons required to make statements regarding other persons having interest.—(1) The Highway Authority or the officer authorised by it may also require any such person to make or deliver to it or him at a time not being earlier than thirty days after the date of the requisition a statement containing, as far as may be practicable, the name of every other person possessing any interest in the land or in any part thereof, or as the case may be, in any right or interest in land to be extinguished as co-proprietor, sub-proprietor, mortgagee, tenant or otherwise and of the nature of such interest, and of the rents and profits, if any, received or receivable on account thereof in respect of the three years next preceding the date of such statement.

(2) Every person required to make or deliver a statement under this section or under section 17 shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code (XLV of 1860).

19. Taking possession of land.—At any time after the publication of a notification under section 15, the Chief Commissioner of Manipur may direct that the land specified in the notification shall be taken possession of, or as the case may be, the right or interest specified therein shall be extinguished from such date as may be specified in the direction. From such date the said land shall vest absolutely in the Government free from all encumbrances, or as the case may be, such right or interest therein shall be extinguished.

CHAPTER IV

PREVENTION OF UNAUTHORIZED OCCUPATION OF, AND ENCROACHMENT ON, A HIGHWAY AND REMOVAL OF ENCROACHMENT.

20. Lands forming part of highway deemed to be Government property.—All lands forming part of a highway which do not already vest in the Government shall, for the purpose of this Chapter, be deemed to be the property of the Government.

21. Prevention of unauthorized occupation of highway.—(1) No person shall occupy or encroach on any highway within the highway boundaries without obtaining the previous permission in writing of the Highway Authority or an officer authorized in this behalf by the Highway Authority.

(2) The Highway Authority or an officer authorized by the Highway Authority in this behalf may, with due regard to the safety and convenience of traffic and subject to such conditions as may be imposed and such rules as may be prescribed by the Chief Commissioner of Manipur, and on payment of such rent or other charges as may be prescribed under such rules, permit any person,—

- (i) to place a temporary encroachment on any highway in front of any building owned by him or make a temporary structure overhanging the highway, or
- (ii) to put up a temporary awning or tent, pandal or other similar erection or a temporary stall or scaffolding on any highway, or
- (iii) to deposit or cause to be deposited building materials, goods for sale or other articles on any highway, or
- (iv) to make a temporary excavation for carrying out any repairs or improvements to adjoining buildings:

Provided that no such permission shall be deemed to be valid beyond a period of one year unless expressly renewed by the Highway Authority or the authorized officer.

(3) The permission so granted shall clearly specify the date up to which the person is authorized to occupy the highway, the purposes for which occupation is authorized and the exact portion of the highway permitted to be occupied, and shall also be accompanied by a plan or sketch of that portion of the highway, if necessary.

(4) The person in whose favour such a permission has been given shall produce the permit for inspection whenever called upon to do so by the Highway

Authority or any officer by a general or special order empowered in that behalf and shall at the end of the period specified in the permit release the land occupied by him after restoring it to the same state as before the occupation by him.

(5) The Highway Authority or the officer issuing the permission shall maintain a complete record of all such permissions issued, and shall also cause a check-up to be made in every case at the expiration of the period up to which occupation has been authorized to ensure that the land has actually been vacated.

22. Power to cancel permit.—(1) The Highway Authority may cancel any permission granted under section 21—

- (a) if any rent or charge is not duly paid.
- (b) if the purpose for which the permission was given has ceased to exist,
- (c) in the event of any breach by the holder of such permission or of any terms or conditions of such permission,
- (d) if the land on which such encroachment has been made is required for any public purpose or such encroachment is causing impediment or danger to traffic.

(2) Where the permission has been cancelled under clause (b) or (d) of sub-section (1), any rent or charge paid in advance shall be refunded to the holder of such permission less the amount, if any, due to the Government.

23. Prevention of encroachment.—(1) When as a result of check of highway boundaries made or otherwise, it transpires that an encroachment has taken place on a highway the Highway Authority or the officer authorized under sub-section (1) of section 21 shall serve a notice on the person responsible for the encroachment or his representative requiring him to remove such encroachment and restore the land to its original condition before the encroachment within the period specified in the notice.

(2) The notice shall specify the land encroached upon and the time-limit within which such encroachment shall be removed and shall also state that failure to comply within the specified period shall render the person liable to prosecution and also to summary eviction.

(3) If the encroachment is not removed within the time-limit specified in the notice and no valid cause is shown for non-compliance, the Highway Authority or the authorized officer referred to in sub-section (1) may prosecute such person before the appropriate Magistrate for his having made or caused the encroachment and for his failure to remove it within the specified time.

(4) Where the encroachment is made for the purpose of exposing articles for sale, opening temporary booths for vending or other like purpose of a trivial nature the Highway Authority or the authorized officer referred to in sub-section (1) may, with the help of the police, if necessary, have such encroachment summarily removed without issuing a notice as required by sub-section (1), or in lieu of removal of the encroachment, may give the person responsible for the encroachment option of executing a lease in favour of the Highway Authority on payment of rent for the area encroached upon.

(5) When the encroachment is of a temporary nature and can easily be removed but is not such as can be described as trivial within the meaning of sub-section (4), the Highway Authority or the authorized officer referred to in sub-section (1) may in addition to or in lieu of prosecuting the person responsible for the encroachment under sub-section (3) have the encroachment summarily removed with the assistance of the police, if necessary.

(6) Where the encroachment is of such a nature that its immediate removal is considered essential in the interests of safety of traffic on the highway or the safety of any structure forming part of the highway, the Highway Authority or the authorized officer referred to in sub-section (1) may, in addition to prosecution of the person under sub-section (3), either—

- (i) have such protective work, as may be feasible at a reasonable cost, carried out so as to minimise the danger to traffic on the highway, or
- (ii) have the encroachment removed with the help of the police, if necessary.

24. Appeal against notice served under sub-section (1) of section 23.—Where the person on whom notice to remove an encroachment has been served under

sub-section (1) of section 23 lays claims that the land in respect of which encroachment has been alleged is his property or that he has acquired a right over it by virtue of adverse possession or otherwise he shall within the time-limit prescribed in the notice for the removal of the encroachment, file an appeal before the Collector under intimation to the Highway Authority or the officer authorized under sub-section (1) of section 21, as the case may be. The Collector shall after due enquiry record his decision in writing and communicate the same to the appellant and the Highway Authority or such officer. The Highway Authority or such officer shall till then desist from taking further action in the matter.

25. Recovery of cost of removal of encroachment.—(1) Whenever the Highway Authority or the officer authorized under sub-section (1) of section 21 has under the provisions of section 23 removed any encroachment or carried out any protective work in respect of any encroachment, the expenditure involved shall be recovered from the person responsible for the encroachment in the manner hereinafter provided.

(2) A bill, representing the expenditure incurred shall be served by the Highway Authority or the authorized officer referred to in sub-section (1) on the person responsible for the encroachment or his representative with a direction to pay up the amount within a specified period to the authority mentioned in the bill.

(3) The bill shall be accompanied by a certificate from the Highway Authority or the authorized officer referred to in sub-section (1) to the effect the amount of expenditure indicated in the bill represents the charges incurred and such a certificate shall be conclusive proof that the charges had actually been incurred.

(4) The materials, if any, recovered as a result of the removal of any encroachment shall be handed over to the person responsible for the encroachment on payment of the amount of the bill by him but in the event of his failure to pay up the amount within the specified period, the materials may be auctioned and after deducting the amount of the bill from the proceeds, the balance, if any, shall be made over to such person.

(5) If the proceeds of the auction sale do not cover the total amount billed for, the excess over the amount realised by the sale of materials, or if there are no materials to dispose of and the billed amount has not been paid by the person responsible for the encroachment within the specified period, the entire amount of the bill shall be recovered from such person as an arrear of land revenue.

CHAPTER V

COMPENSATION

26. Doing minimum damage in certain cases and compensation.—In the exercise of the powers under the following provisions by the Highway Authority or any officer or servant appointed under section 6 or any other person authorised by or under this Act by the Chief Commissioner of Manipur, as little damage as can be shall be done and compensation in the manner prescribed by or under this Act shall be paid to any person who sustains damage in consequence of the exercise of such powers, namely:—

- (a) the imposition of restrictions under section 9;
- (b) the setting back of any building or part thereof under section 12;
- (c) the regulation or diversion of any right of access to a highway under section 13;
- (d) the entry, survey, measurement and doing of any of the acts on any land under section 14;
- (e) the acquisition of any land or the extinguishment of any right or interest in the land under section 15;
- (f) the closure of any highway or part thereof under section 52.

27. Determination of amount of compensation by agreement.—The amount of compensation payable under section 26, the persons to whom it is to be paid and the apportionment of such amount among the persons interested therein shall be determined by agreement between the Highway Authority or any officer authorised by the Chief Commissioner of Manipur and the person or persons claiming interest therein.

28. Determination of amount of compensation in default of agreement.—(1) In default of any agreement under section 27, the Highway Authority or the officer authorised by the Chief Commissioner of Manipur shall, subject to the provisions of this Act, after holding an enquiry, make an award determining:—

- (a) the true area of the land, if any, acquired,
- (b) the amount of compensation to be paid under section 20,
- (c) the apportionment, if any, of such compensation among all persons known or believed to be entitled thereto.

(2) In determining the amount of compensation the matters specified in sections 23 and 24 of the Land Acquisition Act, 1894 (I of 1894), as amended by the Schedule to this Act shall be taken into consideration.

29. No compensation if similar restrictions in force under any other law or if compensation already received.—No compensation shall be awarded:—

- (i) if and in so far as the land is subject to substantially similar restrictions in force under some other law which was in force on the date on which the restrictions were imposed by this Act;
- (ii) if compensation in respect of the same restrictions imposed under this Act or substantially similar restrictions in force under any other law already been paid in respect of the land to the claimant or to any predecessor in interest of the claimant.

30. Compensation for refusal of permission to build not to exceed difference between its value when it was refused and when it would have been granted.—When permission to erect any building has been refused under section 9 or 10, the amount of compensation shall not exceed the difference between the value of the land as determined by section 23 or 24 of the Land Acquisition Act, 1894 (I of 1894), as amended by the Schedule to this Act and the value which it would have had if the permission had been granted. In determining such value any restrictions to which the land is subject under any other law for the time being in force in regard to the right of person claiming compensation to erect a building on the land on otherwise to use, hold or dispose of the same shall be taken into consideration.

31. Compensation for diversion of access not to exceed cost of alternative access.—Where the right of access to a highway has been destroyed as a result of the diversion or closure thereof and an alternative access has been given, the amount of compensation shall in no case exceed the cost of laying a new means of access from the property of the claimant to such alternative route.

32. Compensation for cutting of standing crops, trees, etc.—(1) At the time of an entry, survey or measurement or doing of any of the things under section 14, the officer making the entry, survey or measurement or doing any other thing shall pay or tender to any person entitled compensation for all necessary damage done as a result of such entry, survey, measurement or execution of the work, including the cutting of standing crops, trees, or removal of temporary structures, if any, on the land. If the sufficiency of the amount so paid or tendered is disputed, the officer concerned shall at once refer the dispute to the Highway Authority and the said Authority shall with the least practicable delay decide the dispute and pay to the person entitled the amount determined as compensation. The decision of the Highway Authority shall be final.

(2) If at the time of taking possession of the land under section 19 there are any standing crops, trees or temporary structures on the land, the Highway Authority shall pay or tender to the person entitled the amount of compensation for such standing crops, trees or temporary structures. If the sufficiency of such amount is disputed, the value of such crops, trees and temporary structures shall be taken into consideration in determining the amount of compensation for the land under section 28.

33. No compensation for unauthorised erection.—If any person has unauthorisedly erected, re-erected, added or altered any building on any land which is acquired for the purpose of a highway, then any increase in the value of the land from such erection, re-erection, addition or alteration shall not be taken into account in estimating the value of the land.

34. No compensation for removal of encroachment.—No compensation shall be payable for the removal of any encroachment.

35. Reference against award of Highway Authority or authorised officer under section 28.—(1) Any person aggrieved by the award of the Highway Authority or the officer authorized under section 28 may, by a written application to the Highway Authority or such officer, require that the matter be referred to the District Judge.

(2) Any such application shall be made within three months from the date of the award, and shall be in such form as may be prescribed.

(3) The provisions of sections 5, 12 and 14 of the Indian Limitation Act, 1908 (IX of 1908), shall apply to the computation of the time fixed for reference under sub-section (2).

(4) The Highway Authority or the Officer authorised shall make the reference in such manner as may be prescribed.

36. Procedure and powers of the authorities empowered to decide references under sections 35 and 44.—(1) References under sections 35 and 44 shall be deemed to be proceedings within the meaning of section 141 of the Code of Civil Procedure, 1908 (V of 1908), and in the trial thereof the authorities empowered to decide such references may exercise all the powers of a civil court under that Code.

(2) The scope of the enquiry in a reference under section 35 or 44 shall be restricted to a consideration of the matters referred to the authorities mentioned in sub-section (1), in accordance with the provisions of this Act.

37. Commissioner of Police or District Superintendent of Police to enforce, surrender or remove any encroachment.—If the Highway Authority or any officer or servant is opposed or impeded in taking possession of any land or in executing any work or in removing any encroachment under this Act, the Highway Authority or officer or servant concerned shall apply to the District Superintendent of Police or such Police officer as the Chief Commissioner or Manipur may empower in this behalf, and the District Superintendent or the officer so empowered shall enforce the surrender, removal or execution, as the case may be.

38. Decisions of authorities under sections 35 and 44 enforced as decrees of civil court.—The decisions of the authorities empowered to decide references under sections 35 and 44 shall be enforceable as a decree of a civil court.

39. Payment of compensation awarded.—(1) On the determination of compensation by agreement under section 27 or

(2) on the making of an award under section 28, or

(3) if a reference is made under section 35 against such award, after the decision of the Authority under that section, the Highway Authority shall make the payment of the compensation awarded to the person entitled thereto in accordance with the agreement, its award or the decision of the Authority empowered to decide references under section 35, as the case may be. The provisions of sections 31 to 34 (both inclusive) of the Land Acquisition Act, 1894 (I of 1894), shall, *mutatis mutandis*, apply to such payment.

40. Payment by adjustment.—All payments due to be made to any person by way of compensation by the Highway Authority under this Act shall, as far as possible, be made by adjustment in such person's account regarding betterment charges, if any, due from such person under Chapter VI.

CHAPTER VI

LEVY OF BETTERMENT CHARGES.

41. Notice to owners and persons interested.—Where any work which the Highway Authority is empowered to undertake by or under the provisions of this Act is undertaken, the officer authorized by the Chief Commissioner of Manipur in this behalf shall give notice to the persons known or believed to be the owners of or interested in the lands benefited by such work requiring them to appear before him either personally or by an agent at a time and place therein mentioned (such time not being earlier than sixty days from the date of notice) to state their

objections, if any, to the imposition and recovery of betterment charges on such lands:

Provided that no such notice shall be given unless the Collector with the previous sanction of the Chief Commissioner of Manipur has declared that the value of such lands is likely to increase or has increased by reason of the construction of such work.

42. Inquiry and order.—On the date fixed under section 41 or on such other date to which the inquiry may be adjourned, the officer authorized under section 41 shall, after holding a formal inquiry and after hearing the objection, if any, stated by the persons as required by notice under section 41, make an order. The order shall specify,—

- (a) the lands benefited by the construction of the work,
- (b) the increase in the value of such lands by the proposed construction,
- (c) the amount of the betterment charges leviable on each of the said lands,
- (d) the date from which such betterment charges shall be leviable:

Provided that no betterment charges shall be leviable in respect of any land—

- (a) which is unsuitable for development as a building site, or
- (b) which is situate beyond a distance of one furlong from the middle of the highway on either side.

43. Increase in value and betterment charges.—The increase in value on account of the construction of such work shall be the amount by which the value of the land on the date of the completion of the proposed work is likely to exceed or has exceeded the value of the land on the date of the commencement of the said work and the betterment charges shall be one-half of such increase in value.

Explanation.—For the purposes of this section the Chief Commissioner of Manipur shall, by notification in the Official Gazette, specify—

- (a) the date of commencement of the construction of any work,
- (b) the date of completion of such work.

44. Reference against order of authorized officer under section 42.—(1) Any person aggrieved by the order fixing the betterment charges may, by a written application to the officer authorized under section 41, require that the matter be referred to the District Judge.

(2) Any such application shall be made within three months from the date on which the order of the officer referred to in sub-section (1) was communicated to such person and shall be in such form as may be prescribed.

(3) The provisions of sections 5, 12 and 14 of the Indian Limitation Act, 1908 (IX of 1908), shall apply to the computation of the time fixed for reference under sub-section (2).

(4) The Officer authorized under section 41 shall make the reference in such manner as may be prescribed.

45. Finality of order fixing betterment charges and of decision on reference.—The order fixing the betterment charges made under section 42, subject to a reference to the Authority under section 44 and the decision of the Authority on reference under section 44 shall be final.

46. Betterment charges to be first charge on land next to land revenue.—From the date specified in the order fixing the betterment charges as the date from which such charges shall be leviable, or from such date as may be otherwise specified by the Authority under section 44 as the date from which such charges shall be leviable, the betterment charges recoverable in respect of any land shall, subject to the prior payment of the land revenue, if any, due to the Government thereon, be a first charge on the land in respect of which such betterment charges are leviable.

47. Payment of betterment charges.—The betterment charges shall be payable on the date fixed under the rules made by the Chief Commissioner of Manipur under section 71:

Provided that the owner of the land on which such charges are imposed may execute an agreement in favour of the Government agreeing to pay the amount

of such charges by annual instalments together with interest at such rate and within such period as may be prescribed.

48. Relinquishment of or exchange of land in lieu of payment of betterment charges.—Notwithstanding anything contained in section 47, the Chief Commissioner of Manipur may allow the owner of the land on which the betterment charges may be payable to relinquish the whole or any part of the land or deliver it in exchange in lieu of payment of the charges, in favour of the Government on such conditions as may be prescribed:

Provided that no such relinquishment or exchange shall be permitted unless the land is free from encumbrances

CHAPTER VII

SUPPLEMENTAL PROVISIONS TO SECURE SAFETY OF TRAFFIC AND PREVENTION OF DAMAGE TO HIGHWAYS.

49. Prevention of obstruction of view of persons using any highway.—

(1) Whenever the Highway Authority is of opinion that it is necessary for the prevention of danger arising from obstruction of the view of persons using any highway, especially at any bend or corner of the highway, it may, save as otherwise provided in section 11, serve a notice upon the owner or occupier of land along side or at the bend or corner of such highway to alter within such time and in such manner as may be specified in the notice, the height or character of any existing wall (not being a wall forming part of a permanent structure), fence, hedge, tree, advertisement post, bill board or any other object thereon, so as to cause it to conform with any requirements specified in the notice.

(2) If any person upon whom a notice has been served under sub-section (1) objects to comply with any requirement of such notice, he may, within two months of its receipt, send to the Highway Authority, his objection in writing stating the grounds thereof.

(3) The Highway Authority shall, within two months of the receipt of the objection, consider the grounds advanced and shall, by order in writing, either withdraw the notice or amend or confirm it.

(4) If a person is aggrieved by an order issued by the Highway Authority under sub-section (3), he may prefer an appeal within thirty days from the date when such order was communicated to him, to the Collector whose decision in the matter shall be final.

(5) If any person fails to comply with the notice served on him under sub-section (1) as amended or confirmed as the case may be, under sub-section (3), the Highway Authority may take action to alter the object causing obstruction of view at its own expense, and such expenditure shall be recovered from such person in accordance with the provisions of section 25, without prejudice to any other action which may be taken against him.

50. Highway Authority to regulate traffic when highway declared unsafe.—If at any time it appears to the Highway Authority that any highway in its charge or any portion thereof is or has been rendered unsafe for vehicular or pedestrian traffic by reason of damage or otherwise, it may, subject to such rules as may be prescribed in this behalf, either close the highway or the portion of it to all traffic or to any class of traffic, or regulate the number and speed or weight of vehicles using the highway.

51. Prohibition of use of heavy vehicles on certain highways.—Where the Highway Authority is satisfied that any highway or a portion thereof, or any bridge, culvert or causeway built on or across any highway, is not designed to carry vehicles of which the laden weight exceeds such limit as may be fixed in this behalf, it may, subject to such rules as may be prescribed in that behalf, prohibit or restrict the plying of such vehicles on or over such highway or such part of the highway or such bridge, culvert or causeway.

52. Procedure to be followed when Highway Authority desires, permanently to close any highway.—(1) Where in exercise of the powers conferred on it by section 50 the Highway Authority desires permanently to close down any highway or part thereof, it shall give notice of its intention so to do in the Official Gazette. The notification shall also be published in at least two newspapers, one of which shall be in the regional language of the place in which the highway is situated

(2) The notice shall indicate the alternative route, if any, which is proposed to be provided or which may already be in existence, and shall also invite objections, if any, to the proposal to be submitted within such time as may be specified.

(3) The Highway Authority shall finalise its proposal to close down any highway or part of it after considering the objections, if any, received within the specified time and shall submit the final proposal to the State Government for approval together with such objections as may have been received against the proposal.

(4) The Chief Commissioner of Manipur may either approve the proposal, with or without modifications or reject it.

(5) When the Chief Commissioner of Manipur has approved the proposal he shall publish his orders in the Official Gazette.

(6) When the orders of the Chief Commissioner of Manipur have been published in the Official Gazette, the Highway Authority shall arrange for further publicity to be given to the orders in at least two newspapers one of which shall be in the regional language of the place in which such highway is situate and the highway or part thereof shall then be closed.

(7) Whenever any highway or any part thereof has been so closed, reasonable compensation shall be paid to every person who was entitled, otherwise than as a mere member of the public, to use such highway or part thereof as a means of access to or from his property and has suffered damage for such closure.

53. Consent of Highway Authority required to do certain.—(1) Notwithstanding anything contained in any other enactment for the time being in force but subject to the provisions of section 72 no person other than the Highway Authority or any person authorised by it shall construct or carry any cable, wire, pipe, drain sewer or channel of any kind through, across, under or over any highway, except with the permission in writing of the Highway Authority (acts on highway).

(2) In giving its consent, the Highway Authority may impose such conditions as it may deem to be necessary, and may also impose a rent or other charge for any land forming part of the highway occupied by or applied to the proposed work.

(3) If any person constructs or carries out any work in contravention of sub-section (1), the Highway Authority may arrange for the removal of such work and restoration of the Highway to its former condition in accordance with the provisions of section 23 as if the work constituted an encroachment on the highway, and such expenses as the Highway Authority may incur for this purpose, shall, without prejudice to any other action that may be taken against such person, be recovered from him in accordance with the procedure provided in section 25 in so far as that procedure is applicable.

54. Prevention and rectification of damaged highway.—(1) No person shall wilfully cause, or allow any vehicle or animal in his charge to cause any damage to any highway.

(2) Where in contravention of sub-section (1) any damage has been caused to any highway, the Highway Authority shall have the damage repaired and the expenses involved shall, without prejudice to any other action that may be taken against the person responsible for the contravention of sub-section (1), be recovered from him in accordance with the procedure provided in section 25 in so far as that procedure is applicable.

CHAPTER VIII

PENALTIES

55. Disobedience of orders, instructions and refusal to give information etc.—Whoever wilfully disobeys any direction lawfully given by any person or authority empowered under this Act to give such direction, or obstructs any person or authority in the discharge of any functions that such person or authority is required or empowered under this Act to discharge, or, being required by or under this Act to supply any information, withholds such information or gives information which he knows to be false or which he does not believe to be true shall, on conviction, be punished with fine which may extend to two hundred rupees.

56. Contravention of restrictions relating to access or erecting any building etc.—Whoever erects, alters or extends any building, or makes any excavation, or constructs any means of access to or from a highway or does any other work in contravention of the provisions of section 9, shall, on conviction, be punished—

- (a) with fine which may extend to five hundred rupees, and
- (b) with further fine which may extend to one hundred rupees for each day after such conviction, during which the offending structure or work is not removed, demolished or cleared and the site not restored to its original condition.

57. Unauthorised occupation of highway.—Whoever—

- (a) occupies or makes any encroachment on any highway in contravention of the provisions of sub-section (1) of section 21, or
- (b) fails to comply with the notice served on him under sub-section (1) of section 23 for no valid reason, shall, on conviction, be punished—
 - (a) for a first offence with fine which may extend to two hundred and fifty rupees,
 - (b) for a subsequent offence in relation to the same encroachment with fine which may extend to five hundred rupees plus a further fine not exceeding fifty rupees per day on which such occupation of the highway or encroachment continues.

58. Causing damage to highways.—Whoever in contravention of sub-section (1) of section 54 wilfully causes, or allows any vehicle or animal in his charge to cause any damage to any highway, shall, on conviction, be punished with fine which may extend to one thousand rupees.

59. General provision for punishment of offences.—Whoever contravenes any provision of this Act or of any rule or order made thereunder shall, if no other penalty is provided for the offence, on conviction, be punished:—

- (a) for a first offence with fine which may extend to fifty rupees.
- (b) for a subsequent offence with fine which may extend to two hundred rupees.

60. Power to compound offences.—Any offence committed under this Act may be compounded by the Highway Authority and if any proceedings have been instituted against any person in any criminal court, then on the terms of the compromise being carried out, the composition shall be held to amount to an acquittal and in no case shall any further proceedings be taken against such person or any property of such person with reference to the same facts.

CHAPTER IX

MISCELLANEOUS

61. Powers and duties of police.—Every police officer shall forthwith furnish information to the nearest Highway Authority, or the nearest officer subordinate to the Highway Authority of any offence coming to his knowledge which has been committed against this Act or any rule made under this Act, and shall be bound to assist the Highway Authority and its officers and servants in the exercise of their lawful authority.

62. Duties of village officials.—Every village headman, village accountant, village watchman or other village official by whatever name called, shall forthwith inform the nearest police station or the nearest Highway Authority or any officer duly authorised by the Highway Authority, whenever he becomes aware that any survey mark or any boundary mark of any highway or any mark showing the building or control line determined in respect of a highway has been destroyed, damaged, removed, displaced or otherwise tampered with, or that any damage to any highway or encroachment on any highway has been made.

63. Power to utilise highway for other than road purposes.—The Highway Authority may utilise temporarily for other than road purposes land forming part of a highway which is not immediately required for the passage of traffic, and dispose of the produce of such land.

64. Summary eviction.—Any person wrongfully occupying any land,—

(a) which is a part of a highway,

(b) the occupation of which contravenes any of the provisions of this Act and the said provisions do not provide for the eviction of such person,

shall be summarily evicted by the Collector in the manner provided in the Assam Land and Revenue Regulation, 1886 as extended to the Union territory of Manipur, on being required to do so by the Highway Authority or any officer authorized in this behalf by the Chief Commissioner of Manipur.

65. Inquiries to be held summarily.—(1) The Highway Authority or the officer authorized by the Chief Commissioner of Manipur in this behalf shall, if he desires to make any inquiry for the purposes of this Act, make the inquiry in such manner as may be prescribed by any law for the time being in force in the Union territory of Manipur relating to summary inquiries in revenue matters.

(2) The Highway Authority and an officer authorized by the Chief Commissioner of Manipur or the Highway Authority under this Act shall have the same powers for summoning and enforcing the attendance of any person and examining him on oath and compelling the production of documents as are vested in the revenue officers under the Assam Land and Revenue Regulation, 1886, as extended to the Union territory of Manipur.

66. Registration of map made under section 8 not required.—(1) Nothing in the Indian Registration Act, 1908 (XVI of 1908) shall be deemed to require the registration of any map made under section 8.

(2) All such maps shall for the purposes of sections 49 and 50 of the Indian Registration Act, 1908 (XVI of 1908) be deemed to have been and to be registered in accordance with the provisions of that Act:

Provided that the maps shall be accessible to the public in the manner prescribed.

67. Certain persons to be public servants.—The Highway Authority, the officers and other persons authorized or appointed under this Act (XLV of 1860) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

68. Bar of jurisdiction.—No Civil Court shall have jurisdiction to settle, decide or deal with any question which is by or under this Act required to be settled, decided or dealt with by the Highway Authority, the Collector, an officer or person authorized under this Act, any Authority under section 35 or section 44 or the Principal Engineering Officer of the Manipur Administration or the Chief Commissioner of Manipur.

69. Protection of persons acting in good faith and limitation of suit or prosecution.—(1) No suit, prosecution or other legal proceedings shall be instituted against any public servant or officer or person duly authorized under this Act in respect of anything in good faith done or intended to be done under this Act, or the rules or orders made thereunder.

(2) No suit or prosecution shall be instituted against any public servant or officer or person duly authorized under this Act in respect of anything done or intended to be done under this Act, unless the suit or prosecution has been instituted within six months from the date of the act complained of.

70. Service of notices and bills.—(1) Every notice or bill issued or prepared under this Act, may be served or presented,—

(a) by delivering or tendering it or sending it by post to the person to whom it is addressed, or to his agent, or

(b) if such a person or his agent is not found then by leaving it at his usual or last known place of abode or by delivering or tendering it to some adult male member of his family or by causing it to be fixed on some conspicuous part of the building or land, if any, to which it relates.

(2) Where a notice under this Act is required to be served upon an owner or occupier of a building or land, it shall not be necessary to name the owner or occupier, and the service thereof may be effected either—

(a) by delivering or tendering the notice or sending it by post to the owner or occupier or if there be more owners or occupiers than one, to any one of them, or

- (b) if no such owner or occupier is found then by giving or tendering the notice to an adult male member or servant of his family or by causing the notice to be fixed on some conspicuous part of the building or land to which the same relates.

(3) Whenever the person to whom a notice or bill is to be served is a minor, service upon his guardian or upon an adult male member or servant of his family shall be deemed to be service upon the minor.

71 Power to make rules.—(1) The Chief Commissioner of Manipur may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules to carry out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Chief Commissioner of Manipur may make rules for all or any of the following matters:—

- (a) the manner in which the notification may be published in the village and at the headquarters of the tehsil or the revenue or the administrative hill sub-division or circle or unit under sub-section (2) of Section 7;
- (b) the other places at which copies of map may be open to inspection under section 8;
- (c) the form of application and its contents under sub-section (2) of section 9;
- (d) the other manner of publishing the notification under section 15;
- (e) the conditions on which and the amount of rent or charge on payment of which encroachments may be made on a highway;
- (f) the manner in which a reference shall be made under section 35 or 44;
- (g) fixation of the date on which the betterment charges shall be payable under section 47 and instalments together with the rate of interest and the period within which such instalments shall be paid under the proviso to the said section;
- (h) the conditions on which any land may be relinquished or delivered in exchange in favour of the Government under section 48;
- (i) rules subject to which any highway or portion of it may be closed to traffic or any class of traffic or the number and speed or weight of vehicles using the highway may be regulated under section 50;
- (j) rules subject to which plying of vehicles may be prohibited under section 51;
- (k) the prevention of obstruction of view of persons using highways and of annoyance, danger or injury to the public;
- (l) the prevention of obstruction, encroachment and nuisances on or near and of damages to highways;
- (m) the proper maintenance of boundary marks demarcating highway boundaries and building and control lines;
- (n) the prescription of various forms of applications required to be made and the forms of notices and bills required to be served on persons, the charges to be made for the supply of copies of maps, and the rent or other charges to be imposed or levied under the provisions of this Act;
- (o) the general guidance of the Highway Authority in the discharge of its functions under this Act;
- (p) regulation or diversions of existing rights of access;
- (q) any other matter which is to be or may be prescribed.

72. Savings.—(1) Subject to the provisions of this section, nothing in this Act shall affect—

- (a) the rights of any local authority to make any excavation for the purpose of laying, making altering, repairing or renewing any sewer, drain, water course or other work; or
- (p) regulation or diversions of existing rights of access; being in force for gas or water, electricity, railways, tramways or trolley vehicles to erect any support or make any excavation for the purpose of laying, making, altering, repairing or renewing any

main, pipe, sluice, weir, electric line, duct, drain or other apparatus; or

- (c) any land belonging to a railway administration or belonging to or used by a person holding a licence or sanction for the generation, transformation or distribution of electricity under the Indian Electricity Act, 1910 (IX of 1910), when such land is held or used by the railway administration or such person, as the case may be, for the purpose of its railway or for generation, transformation or distribution of electricity, except in so far as they may consent thereto; or
- (d) any land within the limits of a cantonment;

Provided that—

- (i) any restrictions in force under section 9 as to construction, formation or laying out of means of access to, or from, any road, shall without any such consent as aforesaid, extend to any such land as is specified in clause (c) in so far as the restrictions relate to means of access over or under such land to, or from, land other than land so specified; and
 - (ii) any consent required for the purposes of this section shall not be unreasonably withheld and the question whether or not the consent so required is unreasonably withheld shall be determined by the Chief Commissioner of Manipur and the decision of the Chief Commissioner of Manipur on the question shall be final.
- (2) Nothing in this Act shall affect any powers and duties of the telegraph authority under the provisions of the Indian Telegraph Act, 1885 (XIII of 1885)

73. Provisions of this Act or rules to prevail over inconsistent provisions in other laws.—Save as provided in section 72, the provisions of this Act or rules made thereunder in regard to any matter dealt with thereby shall prevail over the provisions of any other law for the time being in force in the Union territory of Manipur, in so far as such law is inconsistent with the said provisions or rules, and such law to the extent of such inconsistency shall cease to apply or shall not apply to any such matter.

74. Building and control lines along national highways.—For the avoidance of doubt it is hereby declared that nothing in this Act shall apply to highways which are or have been declared by or under any law made by Parliament to be national highways:

Provided that if any highway is declared to be a national highway by or under any law made by Parliament, it shall be lawful for the Chief Commissioner of Manipur, to fix or not to fix the building and control lines for different portions of the said highway under section 7 and thereafter the provisions of this Act in so far as they apply to the restrictions on buildings between the highway boundary and the building line or between the building line and the control line and other provisions relating to such building and control lines shall, *mutatis mutandis*, apply.

SCHEDULE

[See sections 28(2) and 30]

Amendments to the Land Acquisition Act, 1894.

1. Amendment of section 23 of Act, I of 1894.—For section 23 of the Land Acquisition Act, 1894 (I of 1894) (hereinafter called the said Act), the following shall be substituted, namely:—

“23. Matters to be considered in determining compensation.—In determining the amount of compensation to be awarded for the land or any interest therein acquired under this Act, the following matters shall be taken into consideration:—

- (1) the market value at the date of the publication of the declaration under section 15 of the Bombay Highways Act, 1955, as extended to the Union territory of Manipur;

- (2) the use to which the land was put at the date of such declaration;
- (3) the damage sustained by the person interested by reason of the taking of any standing crops or trees which may be on the land at the time when the possession was taken from him;
- (4) the damage (if any) sustained by the person interested at the time of the possession being taken from him by reason of severing such land from his other land;
- (5) the damage (if any) sustained by the person interested at the time of the possession being taken from him of the land by reason of the acquisition injuriously affecting his other property, movable or immoveable, in any other manner or his earnings;
- (6) if in consequence of the acquisition of the land the person interested is compelled to change his residence, or place of business, the reasonable expenses, if any, incidental to such change."

2. Amendment of section 24 of Act I of 1894.—For section 24 of the said Act, the following shall be substituted, namely:—

"24. Matters to be neglected in determining compensation.—But the following matters shall not be taken into consideration:—

- (1) the degree of urgency which has led to the acquisition;
- (2) any disinclination of the person interested to part with the land acquired;
- (3) any damage sustained by him which, if caused by a private person, would not render such person liable to a suit;
- (4) any damage which is likely to be caused to the land acquired, after the date of the publication of the declaration under section 15 of the Bombay Highways Act, 1955, as extended to the Union territory of Manipur, by or in consequence of the use to which it will be put;
- (5) any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;
- (6) any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put;
- (7) any outlay or improvements on, or disposal of the land acquired, commenced, made or effected without the sanction of the Highway Authority after the date of the publication of the declaration under section 15 of the Bombay Highways Act, 1955, as extended to the Union territory of Manipur;
- (8) the special suitability or adaptability of the land for any purpose, if that purpose is a purpose to which it could be applied in pursuance of any law or for which there is no market apart from the special needs of the Highway Authority;
- (9) any increase in the value of the land by reason of the use thereof or any premises thereon in a manner which could be restrained by any court, or is contrary to law or is detrimental to the health of the inmates of the premises or to the public health".

[F. 9/4/58-Jud.II UTL 9.]

K. R. PRABHU, Dy. Secy.

MINISTRY OF FINANCE
(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 16th January 1960

G.S.R. 60.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), as in force in India and as applied to the

State of Pondicherry, the Central Government hereby makes the following further amendment in the Central Excise Rules, 1944, namely:—

In sub-rule 7 of rule 191-A of the said Rules, after the first sub-paragraph, the following shall be inserted as a separate sub-paragraph, namely:—

“The manufacturer may, with the prior permission of the Collector, procure excisable goods from open market provided they are in mill packed condition and their identity with the duty-paying documents can be established.”

[No. 2/60.]

L. M. KAUL, Dy. Secy.

(Department of Revenue)

New Delhi, the 16th January 1960

CORRIGENDUM

CENTRAL EXCISES

G.S.R. 61.—In the Notification (GSR No. 885) of the Government of India Ministry of Finance (Department of Revenue) No. 71/59 (Central Excises) dated the 1st August, 1959 printed on pages 1101 to 1106 of the Gazette of India dated the 1st August, 1959, the following corrections shall be made—

In each of the four forms, Central Excise Series No. 32-C, 32-D, 32-H and 32-I, after the words “And if all dues, whether excise duty or other lawful charges which shall be demandable in respect of such goods on the basis of the value, description or quantity as finally ascertained by the proper officer”, the following words, shall be added:—

“be duly paid into the treasury to the account of the Collector”.

[No. 3/60-F.No. 2/19/58-CXI.]

L. S. MARTHANDAM, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 5th January, 1960

G.S.R. 62.—ESS. Comm/Salt ().—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following amendment in the Salt (Reserve Stocks) Order, 1955, namely:

Clause 5 of the said Order shall be omitted.

[No. F. 14(6)/58-Salt.]

ASHFAQUE HUSAIN, Jt. Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Departments of Communications and Civil Aviation)

New Delhi, the 5th January 1960

G.S.R. 63.—The following draft of a certain amendment to the Indian Aircraft Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (22 of 1934), is published, as required by section 14 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 5th April, 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified, will be considered by the Central Government.

Draft Amendment

In rule 8 of the said Rules, for sub-rule (6), the following sub-rules shall be substituted, namely:—

- "(6) Where any officer authorised in this behalf by the Central Government has reason to believe that the provisions of this rule are, or are about to be contravened, he may cause the goods in question to be placed under his custody pending detailed examination of the nature of the goods or pending a decision regarding the action, if any, to be taken in the matter.
- (7) Where any officer of the Corporation authorised in this behalf by the Central Government has reason to believe that the carriage by air of any goods offered to the Corporation for transportation by air contravenes or will contravene the provisions of this rule, he may cause the goods in question to be placed under his custody pending detailed examination of the nature of the goods or pending a decision regarding the action, if any, to be taken in the matter."

[No. 10-A/14-59.]

K. K. UNNI, Dy. Secy.

(Department of Communications)

New Delhi, the 4th January 1960

G.S.R. 64.—In exercise of the powers conferred by the proviso to article 309 of the Constitution the President hereby makes the following rules regulating the recruitment to the Telegraph Engineering Service, Class I, and certain conditions of service of persons appointed thereto, namely:—

THE TELEGRAPH ENGINEERING SERVICE (CLASS I) RULES, 1960.

1. **Short title.**—These rules may be called the **Telegraph Engineering Service (Class I) Rules, 1960.**
2. **Definitions.**—In these rules unless the context otherwise requires—
 - (a) "Government" means the Government of India.
 - (b) "The Commission" means the Union Public Service Commission.
 - (c) "The Service" means the Telegraph Engineering Service Class I, particulars in respect of which are given in Appendix IV.
3. **Time and place for competitive examination.**—A competitive examination for admission to the Service shall be held in India at such times and places as may be prescribed in the Notice issued by the Commission. Every such Notice will when possible announce the number of vacancies to be filled on the result of the examination.
4. **Combined examination.**—If the examination held under this part of these Rules is a combined examination for the purpose of making appointments to more than one Service the following provisions shall apply:—
 - (a) Any person may apply to be admitted as a candidate for appointment in all or any of these Services for which he is eligible. If he wishes to compete for appointment in more than one Service, he shall state in his application form which Services he wishes to compete for and the order of his preference for them and in such case only one application form will be necessary and on payment of the fees referred to in rule 14 (and Appendix III) will be sufficient.
 - (b) Government shall assign successful candidates to each Service or Department on a consideration of all circumstances including any personal preference expressed by the candidate.
5. **Form of making application.**—A candidate must apply to be admitted to the examination before such date, in such manner, and in such form as the Commission may prescribe.
6. **Persons eligible for examination.**—A candidate must be either—
 - (a) a citizen of India, or
 - (b) a subject of Sikkim, or

- (c) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India, or
- (d) a subject of Nepal or of a Portuguese or the State of Pondicherry.

NOTE.—The appointment of candidates in categories (c) and (d) above will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of candidates belonging to category (c) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories:—

- (1) Persons who migrated to India from Pakistan before the 19th July, 1948, and have ordinarily been residing in India since then.
- (2) Persons who migrated to India from Pakistan after the 18th July, 1948 and have got themselves registered as citizens under Article 6 of the Constitution.
- (3) Non-citizens of categories (c) and (d) above who entered service under the Government of India before the commencement of the constitution, viz., 26th January, 1950 and who have continued in such service since then. Any such person who re-entered or may re-enter such service with break after the 26th January, 1950, will, however, require certificate of eligibility in the usual way.

NOTE 2.—A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination and he may also be provisionally appointed subject to the necessary certificate being eventually issued in his favour by Government.

7. Disqualification.—(a) No male candidate who has more than one wife living shall be eligible for appointment to any of the Services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so exempt any male candidate from the operation of this rule.

(b) No female candidate who has married a person having already a wife living shall be eligible for appointment to any of the services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule.

8. Age limit.—On the date prescribed by the Commission in their Notice of the examination issued under Rule 3 a candidate must have attained the age of 20 and must not have attained the age of 25, provided that the upper age limit of 25 will be relaxable upto 30 in the case of candidates who hold substantively permanent posts in the Posts and Telegraphs Department or have continuously held for a period of not less than two years temporary posts of (1) Repeater Station Assistants or (2) Foremen and Assistant Foremen, Telegraph Workshops, or (3) Temporary Assistant Engineers, Workshops, or (4) Engineering Supervisors or (5) Workshop Supervisors under the Posts and Telegraphs Department, such relaxation being limited to three examinations only.

Departmental candidates must obtain previous permission of the Head of the Department to appear for the examination.

NOTE.—The upper age limits prescribed above will relaxable:—

- (i) Upto a maximum of five years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe.
- (ii) Upto a maximum of three years if a candidate is a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir;

This concession will not, however, be admissible to a candidate who has already appeared at five previous examinations or in the case of those employed in the Posts and Telegraphs Department at eight previous examinations.

- (iii) Upto a maximum of eight years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe and is also a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at ten previous examinations or in the case of

those employed in the Posts and Telegraphs Department at thirteen previous examinations.

- (iv) Upto a maximum of three years if a candidate is a resident of the former French Settlements which have now become part of India and has been receiving his education through the medium of French.
- (v) Upto a maximum of 4 years if a candidate belongs to the Andaman and Nicobar Islands.

N.B.—Candidates who are admitted to the examination under the age concession mentioned in this rule will not be eligible for appointment if, after submitting the application, they resign from Service either before or after taking the examination. They will, however, continue to be eligible if they are retrenched from the service or post after submitting the applications.

SAVE AS PROVIDED ABOVE THE AGE LIMITS PRESCRIBED CAN IN NO CASE BE RELAXED.

9. Requirement as to character.—A candidate must satisfy the Commission that his character is such as to make him suitable for appointment to the Service.

10. Educational qualifications.—A candidate must have—

- (a) obtained a degree in Engineering from a university incorporated by an Act of the Central or of a State Legislature in India; or
- (b) passed Sections A and B of the Associate Membership Examination of the Institution of Engineers (India) or have any other educational qualifications recognised by that institution, as exempting from passing these sections, or
- (c) obtained an engineering degree of one of the universities mentioned in Appendix I under the conditions prescribed in that Appendix; or
- (d) passed the Honours Diploma Examination in Civil, Mechanical or Electrical Engineering of the Loughborough College, Leicestershire provided the candidate has passed the common preliminary examination or has been exempted therefrom; or
- (e) obtained the B.E. (Tele-Communication) degree awarded by Indian Universities.

NOTE 1.—In exceptional cases the Commission may treat as a qualified candidate a candidate, who, though he has not all or any of the qualifications prescribed in this rule, has passed examinations conducted by other institutions of a standard which in the opinion of the Commission justifies his admission to the examination.

NOTE 2.—Candidates who have appeared at an examination the passing of which would render them eligible to appear at this examination, but have not been informed of the result may apply for admission to the examination. Candidates who intend to appear at such a qualifying examination may also apply, provided that the qualifying examination is completed before the commencement of this examination. Their applications will be accepted provisionally and they will be required to furnish proof of having passed the examination as soon as possible and in any case not later than two months after the commencement of the examination.

11. Certificate of admission.—No candidate shall be admitted to the examination unless he holds a certificate of admission from the Commission.

The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

12. Consequences of impersonation etc.—A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or suppressing material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination may, in addition to rendering himself liable to a criminal prosecution be debarred either permanently or for a specified period—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and

(b) by the Central Government from employment under the Government.

13. Attempt to obtain support for candidature.—No recommendations except those required in the application form shall be taken into consideration. Any attempt on the part of a candidate to obtain support for his candidature by other means may disqualify him for admission.

14. Fees.—Candidates must pay such examination fees as Government may prescribe (See Appendix III). No claim for a refund of any of those fees will be entertained nor can they be held in reserve for any other examination or selection.

15. Conduct of examination.—Examinations under these Rules shall be conducted by the Commission in the manner prescribed in the regulations which form Appendix II to these Rules.

16. List of successful candidates.—(a) After every examination the Commission shall make a list of the candidates in order of their merit as disclosed by the aggregate marks finally awarded to each candidate and in that order so many candidates up to the number of vacancies announced under rule 3 above, as are found by the Commission to be qualified by the examination and are considered by Government or the appointing authority, as the case may be, to be suitable in all other respects, shall be appointed.

(b) Appointments to vacancies to be filled by members of a particular community or communities shall be made by Government or the appointing authority as the case may be, in the order or merit of the candidates belonging to the particular community or communities provided they have qualified in the examination and are in all respects suitable for employment in the Service.

(c) Success in the examination confers no right to appointment, unless Government are satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the public Service.

17. Physical fitness.—A candidate must be in good mental and bodily health, and free from any physical defect likely to interfere with the discharge of his or her duties as an officer of the Service. A candidate who (after such physical examination as Government or the appointing authority, as the case may be, may prescribe) is found not to satisfy those requirements will not be appointed. Only candidates who are likely to be considered for appointment will be physically examined.

In order to prevent disappointment candidates are advised to have themselves examined by a Government Medical Officer of the standing of a Civil Surgeon before applying for admission to the examination. Particulars of the nature of the physical test to which candidates will be subjected before appointment and of the standards required can be had from the Commission.

18. Probation.—(a) Appointments shall be made on probation for a period of two years.

(b) If, in the opinion of Government, the work or conduct of an officer on probation is unsatisfactory, or shows that he is unlikely to become efficient, Government may discharge him forthwith.

(c) On the conclusion of his period of probation, Government may confirm the officer in his appointment, or if his work or conduct has in the opinion of Government been unsatisfactory, Government may either discharge him from the Service or may extend his period of probation for such further period as Government may think fit.

(d) If no action is taken by Government under sub-rule (b) or (c) of this rule, the period after the prescribed period of probation shall be treated as an engagement from month to month, terminable on either side, on the expiration of one calendar month's notice in writing.

(e) If the power to make appointments in the Service is delegated by Government to any officer, that officer may exercise any of the powers of Government under this rule.

19. Test in Hindi.—Probations will also be required to pass a test in Hindi before confirmation.

APPENDIX I

List of University degrees which will be recognised for admission to the examination [vide Rule 10(C).]

Aberdeen.—B.Sc. Engineering (Honours or Ordinary degrees).

Cambridge.—Ordinary B.A. degree in engineering provided the graduate has passed in the principal subjects, Engineering I, Engineering II and Engineering III.

Durham.—B.Sc. in Marine Engineering.

Glasgow.—B.Sc. in Naval Architecture (Honours or Ordinary degree).

NOTE.—The above degree will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three year's study will not, however, apply to Indians who, having taken an Indian degree which exempts them from part of the University course shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

APPENDIX II

Standard and syllabus of the Examination (vide rule 15).

Subjects	Maximum Marks
(a) Compulsory:	
1. English (including Essay and Precis writing)	100
2. General Knowledge	100
3. Electrical Engineering	150
4. Mechanical Engineering	150
5. Electrical Communication Engineering	100
6. Applied Mathematics	100
7. Personality Test	300
TOTAL	1000
(b) Optional—Any two of the following subjects:—	
1. Prime Movers	100
2. Physics (including Electricity and Magnetism)	100
3. Applied Mechanics (Including strength of materials and theory of structures)	100

NOTE 1.—All papers must be answered in English.

NOTE 2.—Candidates must write the papers in their own hand. In no circumstances will they be allowed the help of a scribe to write answers for them.

2. The standard and syllabus of the examination will be such as the Commission shall prescribe.

3. The Commission have discretion to fix qualifying marks in any or all the subjects at the examination.

4. The Commission will summon at their discretion only those candidates whom they consider suitable for interview for the Personality Test.

5. Special attention will be paid in the Personality Test to assessing the candidates capacity for leadership, initiative and intellectual curiosity, tact and other social qualities, mental and physical energy, powers of practical application and integrity of character.

6. From the marks assigned to candidates in each subject such deduction will be made as the Commission may consider necessary in order to secure that no credit is allowed for merely superficial knowledge.

7. Deductions up to 5 per cent. of the maximum marks for the written subjects will be made for illegible handwriting.

8. Credit will be given for good English—orderly, effective and exact expression and due economy of words—in all subjects of the examination.

APPENDIX III

FEES

(vide Rule 14)

Candidates seeking admission to the examination must pay the following fees—

(a) To the Commission:

(i) Re. 1 when asking for application form and connected documents.

This amount should be paid to the Commission by Money Order. Local candidates, however, may pay cash at the counter. The Commission will not accept payment made otherwise.

(ii) Rs. 81-50 (Rs. 19-62 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) with the completed application form.

This amount should be paid by means of Treasury Receipt or CROSSED Indian Postal Orders payable to Secretary, Union Public Service Commission. The Commission will not accept payment made otherwise.

(b) To the Medical Board.

Rs. 16 before examination by a Medical Board, if selected for appointment.

This amount should be paid in cash to the Medical Board concerned at the time of the Medical examination.

2. Once an application has been considered by the Commission and the decision communicated to the candidate no claim from the candidate for a refund of the fee paid by him to the Commission will be entertained nor can this fee be held in reserve for any other examination or selection. If however, a candidate is not admitted to the examination by the Commission, a refund of Rs. 75 (Rs. 18.75 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) will be made to him.

3. The Commission may at their discretion remit the prescribed fee where they are satisfied that the applicant is a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir and is not in a position to pay the prescribed fee. The fee of Re. 1 however, must be paid even by a displaced person when asking the Commission for form and this amount will be refundable to him, if on receipt of his application, his claim to be a displaced person is accepted by the Commission and his fee is remitted.

APPENDIX IV

General conditions of service prescribed for candidates recruited to Telegraph Engineering Service Class I.

1. Fifty per cent. of the vacancies in the Telegraph Engineering Service, Class I will be filled by candidates recruited through Competitive Examination.

2. Candidates to be recruited through Competitive Examination will be appointed as probationers for a period of two years during which they will undergo practical training in accordance with the programme of training that may be prescribed from time to time. Those who are favourably reported upon at the end of two years and have passed any departmental examination or examinations, that may be prescribed, will be appointed as Assistant Divisional Engineers, Telegraphs.

3. Officers appointed as Assistant Divisional Engineers Telegraphs through Competitive Examination will be required to pass the professional and language tests in accordance with the rules on the subject.

4. Officers recruited under these rules shall be eligible for leave, increment and pension in accordance with the rules for the time being in force applicable to officers of the Central Government. They will also be eligible to join the General Provident Fund in accordance with the rules regulating that Fund.

5. These officers shall be liable for transfer anywhere in India.

6. The relative seniority of officers appointed through Competitive examination will ordinarily be determined by their order of merit, in the competitive examination. Government of India, however, reserve the right of fixing the seniority at their discretion in individual cases.

7. The following are the rates of pay admissible to officers appointed in India to the Telegraph Engineering Service Class I.

Junior Scale Rs. 350--350—380—380—30—590—E.B.—30—770—40—850.

Senior Scale Rs. 600—40—1000—1000—1050—1050—1100—1100—1150.

Junior Administrative Grade Rs. 1300—60—1600.

Senior Administrative Grade Rs. 1800—100—2000.

8. Promotions to the administrative grades are dependent on the occurrence of vacancies in the sanctioned establishment and are made wholly by selection. More seniority is considered to confer no claim for such promotion.

9. These conditions of service are subject to revision according to the requirements of service. Candidates will not be entitled to any compensation if they are adversely affected by any changes in the conditions of service which may be introduced later on.

[No. 5/4/59-STA.]

B. G. DESHMUKH, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 28th December 1959

G.S.R. 65.—The following amendment to the Indian Central Cotton Committee's Provident Fund Rules, which, with the previous sanction of the Government, the Committee has made in exercise of the powers conferred by Section 16 of the Indian Cotton Cess Act, 1923, is hereby published as required under Section 17 of the said Act, namely:

For sub-rule (2) of Rule 3 of the said Rules, the following shall be substituted, namely:—

“3(2) Subscriptions to the fund shall be at the rate of one-twelfth of the monthly salary in respect of each member appointed in the service of the Committee provided that in the case of members appointed in the service of the Committee after the 28th February, 1954, the rate of subscription shall be one-sixteenth of the monthly salary for the period upto the 31st August, 1957. Provided further that in the case of a member employed for a term of years under a specific agreement the rate shall be such rate not exceeding one-twelfth as may be provided in the agreement. The Committee shall have the power to deduct from the salary of any member such sum as may be required to pay any contribution due by him to the fund”.

[No. 1-19/56-Com.II/IV.]

AJUDHIA PRASADA, Under Secy.

(Department of Food)

New Delhi, the 6th January 1960

G.S.R. 66/Ess.Com.—In exercise of the powers conferred by the Sugar (Movement Control) Order, 1959, the Central Government hereby rescinds the notifications of the Government of India in the Ministry of Food and Agriculture (Department of Food) Nos. G.S.R. 1127/Ess.Com., dated the 5th October 1959, and G.S.R. 1128/Ess.Com., dated the 5th October, 1959.

[No. 22-5/59-SV.]

PARTAP SINGH, Under Secy.

(Department of Agriculture)

New Delhi, the 9th January, 1960

FAMINE

SUBJECT:—Notification of the Rules & Bye-laws of the Indian People's Famine Trust

IN THE MATTER OF THE INDIAN PEOPLES FAMINE TRUST

G.S.R. 67.—Whereas application has been made under clause (a) of sub-section (1) of section 6 of the Charitable Endowments Act, 1890 (6 of 1890), by the Board of Management, acting in the administration of the Indian People's Famine Trust, that the scheme settled in the terms contained in the rules published with the notification of the Government of India in the late Department of Revenue and Agriculture. No. 1616-F, dated the 25th July, 1900, which was applied to a further endowment by the like notification No. 1876-F, dated the 14th September, 1900, be further modified.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 5 of the said Act and with the concurrence of the said Board, the Central Government hereby directs that the following further modifications shall be made in the said Scheme, namely:—

In the said scheme:—

- (i) in rule 2, for the words "any calamity", the words "any other calamity" shall be substituted;
- (ii) in rule 6, the following shall be added at the end, namely:—

"Provided that the Board may determine any point by circulation of a note to its members by the Honorary Secretary under the authority of the Chairman in accordance with such bye-laws as the Board may frame in this behalf;

Provided further that the Board may at any meeting authorise the Chairman to perform such functions on its behalf as it may deem fit to specify subject to the confirmation of his action at the next meeting of the Board";

- (iii) for rules 8, 9 and 10, the following rules shall be substituted, namely:—

"8. The money granted by the Board shall be spent in one or more of the following ways, namely:—

firstly.—In supplementing the subsistence ration under the Famine Code, Scarcity Manual or any rules for the relief of distress for the time being in force by the addition of small comforts, whether of food or of clothing or covering or of medical needs, for the aged or the infirm, for patients in hospitals and the like;

secondly.—In providing for the maintenance of orphans and inmates of work-houses;

thirdly.—In relieving women, children and other persons in distressed circumstances, who are not used to outdoor work;

fourthly.—In helping to re-establish impoverished agriculturists and others who have lost the whole or a substantial portion of their capital in the period of distress, and thereby giving them a fresh start in life; and

fifthly.—In providing for any object specially recommended to the Board by the Central Government.

9. The Central Government may notify to the Board about the existence of general distress over a considerable area.

10(1). On the Central Government notifying the existence of general distress over a considerable area, the Board may make a grant for the relief of the distress in the whole or any portion of such area.

(12) The Board may make the grant in lump sum or in instalments as may be considered necessary according to the circumstances of each case";

(iv) for rule 11, the following rule shall be substituted, namely:—

“The grant made by the Board shall be spent through such of the following agencies as the Board may, in consultation with the Central Government or the State Government, decide, namely:—

- (1) the Central Relief Committee, if a Central Relief Committee shall have been established and recognised by the Central Government for the time being to administer Famine or other Relief Funds in all parts of India;
- (2) a Relief Committee set up or recognised by the State Government and established in the State in which distress prevails;
- (3) any Committee or institution for relief recommended by the Central or the State Government, as the case may be;
- (4) any such person or persons as the Board may appoint in the locality where the distress prevails, the Board having first satisfied itself that proper arrangements for the distribution of relief through trustworthy agents have been made”;

(v) for rule 11-A, the following rule shall be substituted, namely:—

11-A(1) The Committee, Institution or other person or persons referred to in rule 11 shall submit to the Board a full report of the expenditure of the grant and a statement of audited accounts at the end of such period as may be prescribed by the Board; and at the end of that period, any unspent balances shall be returned to the Board.

In special cases, the Board may dispense with the audited accounts and accept a certificate from the grantee that the money has been utilised for the purpose for which it was granted.

- (2) On receipt of the report and audited statement of accounts, if the Board is satisfied that the money has been spent for the purpose for which it was granted, it shall record the same; if not so satisfied, the Board shall, where necessary, in consultation with the State or the Central Government deal with the defaulters, if any, in such manner as may be appropriate”;

(vi) in Rule 12(2), for the word “Imperial Bank of India” the words “State Bank of India” shall be substituted.

[No. 19-14/58-C(G).]

A. B. LAL, Under Secy.

(Department of Food)

ORDER

New Delhi, the 6th January, 1960

G.S.R. 68.—In pursuance of sub-clause (b) of clause 2 of the Wheat Roller Flour Mills (Licensing and Control) Order, 1957, the Central Government hereby appoints Shri C. S. Balasubramanyam, Deputy Director (Flour Mills), Bombay, as an ‘Inspector’ to exercise the powers and perform the duties of Inspector under the said Order within his jurisdiction and makes the following further amendment in the Government of India, Ministry of Food and Agriculture (Department of Food) Notification No. S.R.O. 3082 dated the 25th September, 1957, namely:—

In the Schedule to the said Notification, after item 49, the following item shall be inserted, namely:—

“50. Shri C. S. Balasubramanyam, Deputy Director (Flour Mills), Bombay.”

[No. 7/1/59/FM.]

S. BANSI, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 31st December 1959

G.S.R. 69.—In exercise of the powers conferred by the proviso to article 309 of the Constitution the President hereby makes the following rules regulating the recruitment of persons to General Central Service, Class III & IV posts, in the Central Drugs Laboratory, Calcutta namely:—

1. **Short title.**—These rules may be called the Central Drugs Laboratory (Class III and Class IV Posts) Recruitment Rules, 1959.
2. **Application.**—These rules shall apply to the posts specified in column 1 of the schedule to these rules.
3. **Classification and scale of pay.**—The classification of the said posts, the scale of pay attached thereto and the number of such posts shall be as specified in columns 2 to 4 of the said Schedule.
4. **Method of Recruitment.—Age limit & other qualifications.**—The method of recruitment to the said posts, age limit, other qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the Schedule aforesaid.

CLASS III

Name of Post	Its Classification whether gazetted or non-gazetted & whether Ministerial or non-Ministerial	Scale of pay	Number of posts	Percentage of posts to be filled by.			
				Direct Recruitment.	Promotion		
					By Selection.	Seniority -cum- fitness.	Transfer.
1	2	3	4	5	6	7	8
Rs.							
Lower Division Clerk	Class III Non-gazetted Ministerial.	60—3—81— EB—4—120— 5—130	3	100%	..	..	..
Upper Division Clerk	Do.	80—5—120— EB—8—200 —10/2—220	2	50%	..	50%	..
Accountant . .	Do.	Do.	1	..	100%	..	..
Superintendent . .	Do.	250—15—400	1	..	100%	..	..
*Stenographer . .	Do.	80—5—120— EB—8—200 —10/2—220	1	100%	..	..	..
Artist Photographer.	Class III Non-gazetted Non-Ministerial	Do.	1	100%	..	..	..
Animal caretaker . .	Do.	55—3—85	1	By pro- motion failing which by direct recruitment.	...	..	..

POSTS

For direct recruitment only			For promotion only	
Age Limit	Educational & other qualifications required	Period of probation if any	Whether age & educational qualifications prescribed for direct recruitment will apply in case of appointment by promotion transfer	Grades/sources from which promotion transfer are to be made.
9	10	11	12	13
25 yrs. relaxable in the case of Scheduled Castes/Tribes Displaced persons and other special Categories in accordance with the general orders issued from time to time by the Govt. of India. Ministry of Home Affairs.	Matric	Typing speed of 30. w. p.m.	Two years.	..
Do.	Degree of a recognised University.	Do.	Will not apply in the case of permanent/quasi-permanent employees eligible for promotion.	L.D.Cs. minimum period of 3 years experience.
Do.	Matric with 5 years experience in accounts.	Do.	Do.	Do.
Do.	Degree of a recognised university with at least 5 yrs. experience in administration.	Do.	Do.	From U.D.Cs. Accountants Stenographer, having minimum of three years experience.
Do.	Matric with Minimum speed of 100 w.p.m. in shorthand & 40 w.p.m. in typewriting.	Do.	..	..
Do.	Minimum period of one year's experience in Photography, Microphotography, and allied subjects.	Do.	..	..
Do.	Matric and expr. in stock of species of animal.	Do.	Do.	From Animal Attendant having minimum of three years experience.

CLASS III

1	2	3	4	5	6	7	8
Laby. Asstt. Jr.	Class III Non-Gazet- ted Non-Minis- terial.	40—2—60— 5/2—75	8	25%	75%	..	..
Laby. Asstt. Sr.	Do.	60—5/2—75— 3—105	5	..	100%	..	..
Asstt. Chemist	Do.	160—10—330	2	50%	50%	..	..
Asstt. Bacteriologists	Do.	160—10—250 —EB—10— 300—15—450	2	100%	..	..	..
Asstt. Pharmacognocist	Do.	Do.	1	100%	..	..	..
Asstt. Bio-Chemist	Do.	160—10—330	1	..	100%	..	.. (Direct recruitment to be resorted to only if senior Lab. Asstts. employed in the C.D. Labora- tory are considered unsuitable for promotion).
Asstt. Pharmacologist	Do.	160—10—250 —EB—10— 300—15—450	2	100%	..	..	..

POST—*contd.*

9	10	11	12	13
25 yrs. relaxable in the case of Scheduled Castes/Tribes Displaced persons and other special Categories in accordance with the general orders issued from time to time by the Govt. of India Min. of H.A.	Matric with Science plus experience in laboratory work.	Two years.	Will not apply in the case of permanent/quasi permanent employees eligible for promotion.	From Laboratory Attendants having minimum of three years experience.
Do.	Do.	Do.	Do.	From Jr. Laby. Asstt. having three years experience.
Do.	B.Sc. preferably M.Sc. with knowledge of drug analysis.	Do.	Do.	From Sr. Laby. Asstt. having three years experience.
Do.	MBBS. Degree or a degree in Science with bacteriology as one of the subjects or a Post-Graduate Degree in Microbiology.	Do.	Do.	..
	<i>Desirable.</i> Experience in Research work will be an additional qualification. Trained persons having experience of laboratory work will be preferred.	Do.	..	.
Do.	Graduate in Botany and pharmacy plus knowledge in Chemistry.	Do.	Do.	..
Do.	Science Graduate MSc. preferred with knowledge of bio-chemical analysis of drugs, Hormones, vitamins.	Do.	Do.	From Sr. Lab. Asstt. having minimum of three years experience.
Do.	Degree in Medicine with experience in Experiment Pharmacology or a post graduate Degree in pharmacology.	Do.	..	..

CLASS III

1	2	3	4	5	6	7	8
---	---	---	---	---	---	---	---

(*) The LDCs may be considered if they have the requisite qualifications and are suitable along

No male candidate who has more than one wife living or no female candidate who has married India may after being satisfied that there are special grounds for doing so, exempt any such can-

CLASS IV

Name of posts.	Its classification whether gazetted or non-gazetted & whether Ministerial or non-ministerial.	Scale of pay	No. of posts.	Percentage of posts to be filled by			
				Direct recruitment.	Promotion	Transfer.	
					By selection.	Seniority-cum-fitness.	
1	2	3	4	5	6	7	8
Rs.							
1. Animal Attendant	Class IV.	35-1-50	1	100%	..	..	..
2 Laboratory Attendant, 'A'	-do-	-do-	11	100%	..	..	..
3 Collecting Sircar	-do-	-do-	1	..	100%	..	..
4 Daftry	-do-	-do-	1	..	..	100%	..

POSTS—*contd.*

9	10	11	12	13
---	----	----	----	----

Desirable.

Experience in Research work will be an additional qualification—Trained persons having experience in Laboratory work will be preferred.

with the other candidates when the post is advertised.

a person having already a wife living shall be eligible for appointment provided that the Govt. of didate from the operation of this rule.

POSTS

For direct recruitment only			For promotion/Trans. only	
Age limit.	Educational & other qualifications required.	Period of probation if any.	Whether age & educational qualifications prescribed for direct rectt. will apply in case of apptt. by promotion/transfer.	Grade; source from promotion/trans-fer are to be made.
9	10	11	12	13
25 yrs. relaxable in the case of Scheduled Caste/Tribes, Displaced persons and other special categories in accordance with the general orders issued from time to time by the Govt. of India, Ministry of Home Affairs.	Read upto School Final Exam. preference to passed School Final Candidate.	2 yrs.	..	..
Do.	Do.	Do.	..	..
Do.	Middle School Standard.	Do.	No.	From peons Durwans, Night watchman having minimum experience of 3 yrs.
Do.	Do.	Do.	Do.	Peons having minimum of 3 yrs. experience.

CLASS IV							
1	2	3	4	5	6	7	8
5. Peons . . .	Class IV	30-1-35	9	100%	..	..	..
6. Durwan . . .	Do.	Do.	1	100%	..	..	..
7. Nightwatchman . .	Do.	Do.	2	100%	..	.	..
8. Sweeper . . .	Do.	Do.	11	100%	..	..	..
9. Gardner (Mali) . .	Do.	Do.	1	100%	..	..	.

'A' By promotion if qualified and suitable candidates available among peons, Durwan, etc.

"No male candidate who has more than one wife living, or no female candidate who has that the Government of India may, after being satisfied that there are special grounds for

POSTS—*contd.*

9	10	11	12	13
Do.	Do.	Do.	..	..
Do.	Literate, no specific qualification need be prescribed,	Do.	..	..
Do.	Do.	Do.	..	..
Do.	Do.	Do.	..	..

Otherwise direct recruitment.

married a person having already a wife living shall be eligible for appointments provided doing so exempt any such candidate from the operation of this rule".

[No. F. 5-30/58-D.]

D. J. BALARAJ, Dy. Secy.

New Delhi, the 1st January 1960

G.S.R. 70.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to certain Class II posts in the Medical College, Pondicherry, namely:—

1. **Short title.**—These rules may be called the Pondicherry Medical College (Recruitment of Class II, Non-Gazetted Posts) Rules, 1959.

2. **Application.**—These rules shall apply for recruitment to the posts specified in column 1 of the Schedule annexed thereto.

3. **Number, classification and scale of pay.**—The classification of the said posts, the scales of pay attached to them and the number of such posts shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 14 of the Schedule aforesaid:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of scheduled castes/tribes, displaced person and other special categories in accordance with the general orders issued from time to time by the Government of India.

5. **Disqualification.**—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living shall be eligible for appointment to any of these posts.

Provided that the Government of India may, if it is satisfied that there are special grounds for doing so, exempt any such candidate from the operation of the rule.

SCHE
MEDICAL COUNCIL,
Draft Recruitment Rules for

Name of post	Classification	Scale of pay	No. of posts	Percentage of posts to be filled by			Transfer
				Direct recruitment	Promotion		
					By selection	Seniority-cum-fitness	
1	2	3	4	5	6	7	8
		Rs.					
Translators Lecture	General	250—10—	4	100%	..	..	..
	Central	300—15—					
	Service,	450—25/2—					
	Central	500					
	Civil Post- Class II Non-gazetted Non- Ministerial						
Superin- tendent (Budget/ Accounts)	General	275—25—	1	100% (if suitable candi- date not avail- able then by transfer)	..	..	On transfer from among the mem- bers of the Subordinate Accounts Service in Civil Audit Offices if suitable candidate not available for direct recruitment.
	Central	500					
	Service,						
	Central						
	Civil Post, Class II Non- Gazetted- Ministerial						

DULE

PONDICHERRY

Class II Non-gazetted Posts

Age limits	For Direct Recruitment only		For Promotion/Transfer only		
	Educational and other qualifications required	Period of probation	Whether age and educational qualifications for direct recruits who apply	Grades/Sources from which promotion/transfer to be made	Composition of DPC
9	10	11	12	13	14
25	A degree of a recognised Indian University or an equivalent degree of the University of Paris. Must be capable of translating lectures etc. from English to French and <i>vice versa</i> .	Two years	..	..	..
30	(1) Degree of an Indian University in Accounts or Commerce. (2) Experience in a responsible post, e.g., Accountant for not less than 3 years.	..	..	From among members of Subordinate Accounts Services attached to Civil Audit Offices. If a member of Subordinate Accounts Service is appointed he will get grade pay <i>plus</i> 20 per cent of grade pay as deputation allowance.	..

[No. F. 36-49/59-M.1.]

A: K. DAR, Under Sec y,

New Delhi, the 1st January 1960

G.S.R. 71.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment of persons to Class III and Class IV posts at the Central Food Laboratory, Calcutta, namely:—

- These rules may be called the Central Food Laboratory, Calcutta (Class III and Class IV posts) Recruitment Rules, 1959.
- These rules shall apply to the posts specified in column 1 of the Schedule to these rules and the classification of posts, the scales of pay and the duties attached thereto and the number of posts shall be as specified in columns 2 to 5 of the said Schedule.
- The method of recruitment to the posts aforesaid, the qualifications, age limits and other matters relating to these posts shall be as specified in columns 6 to 14 of the schedule aforesaid.

THE

Name of the post	Its classification, whether gazetted, whether ministerial or non-ministerial	Scale of pay	Duties	No. of posts	Percentage of posts		
					Direct rectt.	By selection	Seniority-cum-fitness
1	2	3	4	5	6	7	8
1. Head Clerk	G.C.S. Class III Non-gazetted ministerial	160—10—250	As shown in annexure	1	..	100% by selection from amongst the Departmental candidates. If a suitable departmental candidate is not available the post may be filled by promotion or transfer of suitable persons from other Central Government Offices.	..
2. U.D. Clerk	Do.	80—5—120— EB—8— 200— 10/2—220	Do.	1	..	..	100% If suitable Departmental Candidates not available then 100 per cent by direct recruitment.
3. Stenographer	Do.	Do.	Do.	1	..	..	100% If no suitable Departmental candidate available then 100

SCHEDULE

Trans-fer	For direct recruitment		Period of probation if any	For promotion/transfer only		
	Age limit	Educa-tional qualifica-tions required		Whether age and educational qua-lifications pres-cribed for direct recruitment will apply in case of appointment by promotion/trans-fer	Grades, sources from which transfers are to be made	
9	10		11	12	13	14
..	Not applicable		Not applicable	2 years	Not applicable	U. D. C. Ste-nographers who have put in at least three years service in the Central Food Laboratory or any other Central Government office.
..	25 years		(i) Matric with three years experience as L.D.C. (ii) Graduate will be preferred,	Do.	No	By promotion amongst the ministerial staff L. D.C. Store-Clerk who have put in at least 3 years service in the Central Food Labo-ratory. If suitable can-didate is not available de-partmentally the post may be filled by transfer of suitable per-son from any other Central Government office.
	Do.		(i) Matric having a speed of 100 words per minute	Do.	Educational, and other qualification will apply.	1 D. C. store Clerk Labo-ratory Assistants will be eligible for appoint-ment as ste-nographers if

1	2	3	4	5	6	7	8
							per cent by direct recruitment
4. L.D. Clerk	G.C.S. Class III Non-gazetted Ministrial	60-3-81 4-125- EB- 5-130	As shown in Annex- ure	1	100%		
5. Store Clerk	Do.	Do.	Do.	1	100%	.	.
6. Labora- tory Assistant	G.C.S. Class III Non-gaze- tted non-mini- strial.	60-4- 120 H. B-5 -150	Do.	2	100%	..	..
7. Peons	G.C.S. Class IV non-gazetted	30-1/2 -35	Do.	3	100%		
8. Labora- tory Attendant	Do.	Do.	Do.	4	100%	.	..
9. Sweeper	Do.	Do.	Do	1	100%	.	..

NOTES

1. Qualifications may be relaxed in exceptional cases for all posts at the discretion of Head
2. No male candidate, who has more than one wife living or no female candidate who has posts:

Provided that the Government of India may, if it is satisfied, that there are special grounds

3. The number of posts shown in column 5 of this schedule is liable to change from time
4. The age limit is relaxable in case of Scheduled Castes, Scheduled Tribes, Displaced Persons of India from time to time and for Government servants.

5. The vacancies in various posts to be filled by promotion as per remarks in column 14 balance left, then from amongst quasi-permanent incumbents.

9	10	11	12	13	14
		in short hand (ii) 40 w.p. m. in typing.			they fulfil the educational and other qualifica- tions prescribed for direct re- cruitment
	25 years.	Matric having a speed of 30 words per minute in typing.	2 years	..	..
..	Do.	Matric. Know- ledge of stocks and book keeping desirable.	Do.	..	..
..	Not app- licable.	I.Sc. with che- mistry as one of the subjects or its equiva- lent qualifi- cations of a recognised Board/Univer- sity.	Do.	..	..
..	25 years	(i) Upto middle standard. (ii) should know cycling.	..	..	..
..	Do.	Upto Middle standard.	..	..	..
..	Do.	..	..	..	..

of Department.

married a person having already a wife living, shall be eligible for appointment to any of these

for doing so, exempt any such candidate from the operation of this restriction.

to time.

and other special categories in accordance with the general instructions issued by the Government

of this schedule shall be filled firstly from amongst permanent incumbents and if there is any

ANNEXURE

Serial No.	Name of the post	Duties
1	Head Clerk	Supervision of office work.
2	U.D. Clerk	To deal with cases and maintenance of accounts etc.
3	Stenographer	(i) To take notes in shorthand from officers and to transcribe them. (ii) Any other duties that may be assigned to him.
4	L.D. Clerk	Typing and routine clerical work.
5	Store-Clerk	Maintenance and safe custody of stores issue and accounting of stores.
6	Laboratory Assistant	To render assistance in Laboratory work.
7	Peons	(i) Attendance on Officers and Office. (ii) Any other duties that may be assigned.
8	Laboratory Attendant	(i) To render assistance in of Laboratory work. (ii) Cleaning and washing of Laboratory wares.
9	Sweepers	Sweeping the rooms and compounds etc.

[No. F. 13-21/58-PH]

ERRATUM

New Delhi, the 1st January 1960

THE PREVENTION OF FOOD ADULTERATION RULES, 1955 (AS AMENDED UPTO 15TH MAY, 1959)

G.S.R. 72.—On page 43, against clause (d) of item A. 17 01 relating to Polenske value of Coconut oil in column 2, for "Not more than 13·0 per cent" read "Not less than 13·0".

[No. F. 14-10/59-P.H.]

T. V. ANANTANARAYANAN, Under Secy.

New Delhi, the 1st January 1960

G.S.R. 73.—In exercise of the powers conferred by sub-rule (2) of rule 1 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959, the Central Government hereby appoints the 1st January, 1960, as the date on which these rules shall come into force.

[No. F. 8-26/59-LSG(1).]

G.S.R. 74.—In exercise of the powers conferred by sub-section (1) of section 56 of the Delhi Development Act, 1957 (61 of 1957) read with clauses

(e), (f), (g) and (r) of sub-section (2) of that section, the Central Government hereby makes the following amendment in the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959 namely:—

In the said rules, rule 8 shall be renumbered as sub-rule (1) of that rule and after sub-rule (1) as so renumbered, the following sub-rule shall be inserted, namely:—

- “(2) No business of the Board shall be transacted at any meeting unless at least three members are present from the beginning to the end of the hearing”.

[No. F. 8-26/59-LSG(ii).]

A. P. MATHUR, Under Secy.

New Delhi, the 31st December, 1959

G.S.R. 75—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendment to the rules published with the Notification of the Government of India in the Ministry of Health No. F.16-33/58-Instt., dated the 26th October, 1959, namely:—

In the Schedule to the said rules, in the part relating to Class III posts,—

- (a) for the figures "16" under column 5 against entry 6 'Nursing Sister', the figure "17" shall be substituted;
- (b) after item 23 and the entries relating thereto, the following items and entries shall be inserted, namely:—

Statement showing the method of recruitment and promotion to Class III posts at the Hospital

Sl No.	Name of the post	Its classification: whether gazetted or Non-gazetted or whether Ministerial or non-Ministerial	Scale of pay	No. of posts	Direct recruitment
1	2	3	4	5	6
24	Staff Nurse	Non-gazetted Non-Ministerial.	Rs. 100—5—150	3	100%
25	Librarian	Do.	Rs. 60—4—120—5—150.	1	100%
26	Laboratory Assistant	Do.	Do.	2	100%

for Mental Disease, Ranchi.

Percentage of posts to be filled by promotion			Age Limit	For Direct recruitment only Educational and other qualifications required	Period of probation, if any	Whether age and educational qualification prescribed for direct recruitment will apply in case of appointment by promotion/Transfer	Grades/Sources from which promotion/transfer are to be made
By selection	Seniority -cum- fitness	Transfer					
7	8	9	10	11	12	13	14
..	25 Yrs.	Registered Nurse and midwife.	2 yrs.	..	..
..	Do.	Matriculation Two years' experience in Library work of indexing etc. Typing at 30 words per minute.	Do.	..	..
..	Do.	Matriculation with a certificate of Laboratory Technician Course, Two years' Laboratory experience.	..	..	..

[No. F. 16-33/58-Instt.]

A.C. RAY, Under Secy.

MINISTRY OF STEEL, MINES AND FUEL**(Department of Mines and Fuel)***New Delhi, the 8th January, 1960*

G.S.R. 76.—The following draft of certain further amendments to the Coal Mines (Conservation and Safety) Rules, 1954, which the Central Government proposes to make in exercise of the powers conferred by section 17 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952) is published as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 16th February, 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

In sub-rule (2) of rule 15 of the said Rules,—

(1) in clause (b),—

(a) in the proviso the following shall be added at the end, namely:—
“the maximum salary of which is less than Rs. 2,000 per mensem”.

(b) after the same proviso the following further proviso shall be inserted, namely:—

“Provided further that the Central Government shall make appointments to posts of officers, the maximum salary of which is Rs. 2,000 per mensem or above.”

(2) in clause (c),—

(a) in the proviso, after the words “posts of officers” the following shall be inserted, namely:—

“the maximum salary of which is less than Rs. 2,000 per mensem.”

(b) after the same proviso the following further proviso shall be inserted, namely:—

“Provided further that appointments to posts of officers, the maximum salary of which is Rs. 2,000 per mensem or above shall be made by the Central Government.”

[No. C5-5(1)/60.]

S. KRISHNASWAMY, Under Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY**(Central Boilers Board)***New Delhi, the 17th December 1959*

G.S.R. 77.—The following draft of a further amendment to the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th March, 1960.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Supply, North Block, New Delhi.

Draft Amendment

In the said regulations, in regulation 4, in sub-clause (iv), clause (c), the following paragraph shall be inserted at the end, namely:—

“In case where the original certificate from well known steel makers in form IV is not produceable, owing to such certificate containing

details of plates used for other purposes also, an extract from the original certificate duly signed by the makers of the boiler and countersigned by the Inspecting Authority shall be acceptable in lieu of the certificate in form IV, provided all information required in form IV are furnished in the extract."

[No. S&P-II/BL-9(17)/59.]

M. N. KALE, Secy.

New Delhi, the 8th January, 1960

G.S.R. 78.—In exercise of the powers conferred by section 4 and sub-section (1) of section 29 of the Petroleum Act, 1934 (30 of 1934), the Central Government hereby makes the following further amendment to the Petroleum Rules, 1937, the same having been previously published as required by sub-section (2) of section 29 of the said Act, namely:—

In the said rules, in Form K, the paragraph beginning with "This licence shall be renewable" and ending with 'any condition of this licence' and the foot note 'Not applicable to kerbside outfits' shall be omitted.

[No S&PII-3(14)/59]

M. N. KALE, Under Secy

New Delhi, the 8th January, 1960

G.S.R. 79.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

THE CHIEF TECHNICAL EXAMINER (MINISTRY OF WORKS, HOUSING AND SUPPLY) RECRUITMENT RULES, 1960.

1. **Short title.**—These rules may be called the Chief Technical Examiner (Ministry of Works, Housing and Supply) Recruitment Rules, 1960.

2. **Recruitment.**—The method of recruitment to the post of Chief Technical Examiner in the Ministry of Works, Housing and Supply and certain other allied matters connected therewith shall be as specified in the Schedule below:—

THE SCHEDULE

(See rule 2)

Name of post	Classification	Scale of pay	Method of recruitment whether by direct recruitment or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of recruitment in which U.P. by promotion S.C. is to be consulted in grades from which promotion to be made	Circumstances in which U.P. is to be made re-cruitment
1	2	3	4	5	6
Chief Technical Examiner	G.C.S. Class I	Rs. 1800-100-2000	By transfer	Transfer : (1) Additional Chief Engineers and (2) Superintending Engineers.	Selection to be made in consultation with the Union Public Service Commission.

[No. Adm. 42(9)/59]

R. ANANDA KRISHNA, Dy. Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 9th January 1960

G.S.R. 80.—In exercise of the powers conferred by section 85 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the Employees' State Insurance (Central) Rules, 1950, the same having been previously published as required by sub-section (1) of the said section, namely:—

Amendment

In the said rules, in sub-clause (b) of clause (i) of sub-rule (2) of rule 5, after Note (2), the following Note shall be inserted, namely:—

“Note (3).—Travel by air-conditioned accommodation may be permitted by the Ministry of Labour and Employment as a special case either on grounds of health, advanced age or infirmity, or when a person is entitled to travel by air-conditioned accommodation under the rules of the organisation to which he belongs or had belonged prior to his retirement from that organisation, or where travel by air-conditioned accommodation is the usual mode of travel by the non-official member concerned in respect of journeys not connected with the work of the Corporation. This concession will not be admissible to those non-official members who are Members of Parliament.”

[No. F. HI-1(124)/59.]

BALWANT SINGH, Under Secy.